

Court of District and Addl. Sessions Judge, Biraul(Darbhangha)

Present:- Sri Shiv Kumar,

Dist.&Addl. Sessions Judge, Biraul.

BP No. 140/2026(Madan Mukhiya vs. State of Bihar)

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In the Court of District and Addl. Sessions Judge, Biraul, Darbhanga

BP No. 140 of 2026

In the matter of :-

1. Madan Mukhiya, Son of Bhatu Mukhiya

.....Petitioners.

Vs.

2. The State of BiharOpposite Party.

For the petitioners:- Sri Pawan Kumar Ranjan, Ld. Advocate.

For the O.P.(State):- Sri Bachcha Rai, Ld. APP.

Order

19.06.2026 The present bail petition has been filed on behalf of abovenamed petitioner who is in judicial custody since 15.01.2026, in conneciton with Kuseshwar Asthan PS case No. 10 of 2026, for the offences U/Ss 303(2), 317(2), 317(4), 3(5) of BNS, which is pending in the Court of Ld. SDJM, Biraul, Darbhanga.

Heard Sri Pawan Kumar Ranjan the Ld. Counsel for the petitioner and Sri Bachcha Rai Ld. APP for State.

The FIR in the present case has been lodged on the basis of application of informant namely Shravan Kumar Sah. The case of the prosecution in brief is that on 13.01.2026 at around 11:20 PM some unknown thieves have committed theft in the shop of informant. The petitioner has called police and during this he has apprehended two thieves. The police has recovered some theft articles as mentioned in the FIR worth of Rs. 2 Lakh from the thieves. Further they have also stolen gold ornaments worth of Rs. 2.50 Lakh and Rs. 30,000/- cash.

Ld. Counsel for the petitioner submits that the petitioner is quite innocent and he has not committed any offence. The petitioner has falsely been implicated in this false case. The petitioner is in judicial custody since 15.01.2026. Co-accused Nitish Kumar Mukhiya has been granted bail by this Court's order dt. 29.04.2026 passed in BP No. 99 of 2026. The petitioner is ready to abide by all the conditions as imposed by the Court. Therefore the present petition may be allowed.

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On the other hand, Ld. Addl. P.P appearing on behalf of the State opposed the prayer for bail.

Heard submissions made at bar and perused the case records of the present case. From perusal of the case records it appears that the police after completion of its investigation submitted charge-sheet against the petitioner. Para 6 of the case diary mentions statement of SHO from perusal whereof it appears that the name of the apprehended persons is Madan Mukhiya and this Nitish Kumar Mukhiya. Further the articles recovered from them is also mentioned in this para. From further perusal of the case records it appears that petitioner is in judicial custody since 15.01.2026. Co accused Nitish Mukhiya has already been granted bail by this Court's order dt. 29.04.2026 passed in BP No 99 of 2026. Considering the period of custody, nature of allegation and the fact that charge-sheet has been submitted against the petitioner and also considering the fact that co-accused Nitish Mukhiya has been granted bail by this court in present case as well as other facts and circumstances of the case bail petition of abovenamed petitioner is **allowed**. The petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/ (ten thousand) with two sureties of the like amount each in connection with Kuseshwar Asthan P.S. Case No. 10/26 to the satisfaction of the Ld. Court below subject to conditions as laid down u/s 480(3) of BNSS.

(Dictated)

(Shiv Kumar)

Addl. Sessions Judge, Biraul

19.06.2026