

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

Present:- Sri Shiv Kumar,

Dist.&Addl. Sessions Judge, Biraul.

ABP No. 227/2026(Raju Mukhiya alias Raju Kumar Mukhiya vs. State of Bihar)

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

ABP No. 227 of 2026

In the matter of :-

1. Raju Mukhiya alias Raju Kumar Mukhiya, Son of Shankar Mukhiya

.....Petitioners.

Vs.

2. The State of BiharOpposite Party.

For the petitioners:- Sri Shrawan Kumar Chaudhary, Ld. Advocate.

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

Order

17.07.2026 The present application for anticipatory bail has been filed on behalf of abovenamed petitioner, who is apprehending his arrest in connection with Biraul PS case No. 249 of 2026, for the offences U/Ss 137(2), 96, 3(5) of BNS, which is pending in the Court of ACJM, Biraul, Darbhanga.

Heard Sri Shrawan Kumar Chaudhary the Ld. Counsel for the petitioners 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 Meera Devi. The case of the prosecution in brief is that on 03.07.2005 at around 12 O'clock Raju Mukhiya in connivance with other accused persons as named in the FIR kidnapped minor daughter of informant namely Soni Kumari aged about 16 years from her home with ill intentions.

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. No such occurrence did ever take place as alleged in the FIR. He submits that the informant's daughter/victim has not been kidnapped by anyone. As a matter of fact she is a major girl and left her home with her own sweet will. He submits that during investigation police recovered

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her and her statement u/s 183 of BNSS is also recorded. The petitioner and victim had solemnized marriage and they are living happily as husband and wife. There is delay of 8 days in lodging the FIR and no explanation regarding this has been mentioned in FIR. The petitioner does not have any criminal antecedent. The petitioner is ready to abide by all the conditions as imposed by the Court. Therefore the present petition may be allowed.

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 this Court finds that during investigation the statement of victim Soni Kumar has been recorded by the Ld. Magistrate under section 183 of BNSS from perusal whereof it appears that she had stated that she had love affair with Raju Mukhiya for 2 years and she with her own sweet will left the house and went to Amritsar and on 14.01.2026 she had solemnized marriage with him. At the time of recording her statement Ld. Magistrate has assessed her age as 20 years. Considering the discussions made above, submissions made at bar, statement of victim recorded u/s 183 of BNSS, age of victim(major) as well as other facts and circumstances of the case the present anticipatory bail petition of the aforesaid is **allowed**. The petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each in the event of his arrest by police or surrender before Ld. Court below within a period of three weeks from the receipt of copy of this order in connection with Biraul PS case No. 249/25 to the satisfaction of learned Court below subject to the conditions laid down u/s 482(2) of BNSS.

(Dictated)

(Shiv Kumar)

Addl. Sessions Judge, Biraul

17.07.2026