

**In the Court of District & Add. Sessions Judge-II,
Jhanjharpur.**

Regular Bail Petition No.161/2026

1. Suraj Mukhiya aged about 32 years S/o-Bhogi Mukhiya @ Bhogendra Mukhiya.
 2. Dev Nath Mukhiya aged about 30 years S/o-Bhogi Mukhiya @ Bhogendra Mukhiya.
- R/o Village- Parsahi, PS- Khutauna, District- Madhubani.

.....Petitioners

Versus

1. State of Bihar through Add. Public Prosecutor.

.....Opposite Party

Regular Bail Petition Under Section 483 of the B.N.S.S.

For the petitioner/s	:	Shri Bisho Kumar Roy, Advocate
For the O.P. State	:	Shri Dev Shankar Jha Jha, APP

O R D E R

Dated: 22.04.2026

This regular bail petition has been filed under section 483 B.N.S.S. on behalf of the petitioners **1. Suraj Mukhiya & 2. Dev Nath Mukhiya**, who is in custody since 22.02.2026 in connection with **Khutauna PS Case No. 01/2026 under section: 126(2), 115(2), 118(1), 117(2), 109(1), 351(2), 2(5) of B.N.S.**, which is pending in the court of Md. S. Rahman, J.M.F.C, Jhanjharpur is being pressed and heard.

The case of the prosecution in brief is that on 01.01.2026 at about 7 o'clock, informant was getting his paddy threshing done on his vacant land. Petitioner Suraj Mukhiya came to his house, and said that the husk was blowing into the petitioner's house. Altercation took place, and on this petitioner Suraj started abusing informant. When informant protested, he was assaulted by petitioner Suraj Mukhiya with an iron rod on his head. Blood started oozing out. Thereafter, other accused persons came, and they started abusing and assaulting informant. Due to assault his finger of the hand got fractured. Devnath Mukhiya took out Rs.2,000/- from his pocket, and threatened him. He was treated at Khutauna hospital. Hence, this case.

Learned counsel for the accused petitioners submits that the accused petitioners are innocent, and have not committed any offence.

They have no criminal antecedent. That no any bail application has earlier been filed on behalf of the petitioners before this Hon'ble Court, or before the Hon'ble High Court, Patna. The petitioners have falsely been implicated in this case. That the petitioners, and informant are neighbours, and during the harvesting of crops, the dust particles were coming inside the house of petitioner. When the petitioner tried to reason with the informant, he was assaulted by the informant, and his family members. That even compromise took place between both sides in panchayat. Even then petitioners were falsely implicated in this false case. The petitioner was under judicial custody since 22.02.2026. Accordingly, it has been prayed to grant bail to the accused petitioners.

The learned Add. PP had opposed the prayer for bail.

Heard the argument, and perused the case diary. Petitioners do not bear any criminal antecedent. Petitioners are in custody since 22.02.26, which is about two months. Injury sustained by injured is though simple in nature, except fracture of finger which is greivous, and caused by hard and blunt substance. That the greivous injury is not on vital part of the body. That there is inordinate delay in filing of the case ie occurrence is of 01.04.26, and FIR registered on 04.01.26.

Considering the aforesaid facts, petitioners namely 1)**Suraj Mukhiya** and 2) **Dev Nath Mukhiya** bail is **allowed**. Petitioners are directed to be released on bail on furnishing bail bonds of Rs10,000/- with two sureties of like amount each to the satisfaction of Ld. Court concerned.

Dictated

Sd/-

**Addl. Sessions Judge-II,
Jhanjharpur**

Memo No...../2026, Dated:.....

Copy of order forwarded to the court of Md. S. Rahman, J.M.F.C,
Jhanjharpur for information and needful.

**Addl. Sessions Judge-II,
Jhanjharpur**