

In the Court of Sessions Judge, Supaul
A.B.A.-182/2026
(Arising out of Bhaptiyahi PS Case No:-224/2025)

1. Ramu Kumkhiya, S/o- late Barishlal Mukhiya;
2. Khattar Mukhiya, S/o-late Barishlal Mukhiya;
3. Devgan Mukhiya, S/o- Ramu Mukhiya;
4. Shambhu Mukhiya @ Shambhu Kumar, S/o- Santlal Mukhiya;
5. Rajesh Mukhiya @ Rajesh Kumar Mukhiya, S/o- Khattar Mukhiya;
6. Nandan Mukhiya @ Nandan Kumar Mukhiya, S/o- Khattar Mukhiya; All R/o-
Narayanpur, Ward No.08, PS- Bhaptiyahi, District- Supaul;
.....Accused/Petitioners
Vs.
State of Bihar.O.P.

07/05/2026

Ld. Counsel for petitioners Shri. Praveen Kumar Mehta, Advocate.

Ld. APP Sri. Amar Kumar Das, for the State.

By this order we are going to dispose off the anticipatory bail application filed on behalf of accused/ petitioners, namely 1. Ramu Kumkhiya, 2. Khattar Mukhiya, 3. Devgan Mukhiya, 4. Shambhu Mukhiya @ Shambhu Kumar, 5. Rajesh Mukhiya @ Rajesh Kumar Mukhiya and 6. Nandan Mukhiya @ Nandan Kumar Mukhiya, who are apprehending their arrest in connection with Bhaptiyahi PS Case No.:-224/2025, u/s- 126(2), 115(2), 109, 352, 76, 3(5) of B.N.S.

Ld. counsel for the accused/ petitioners argued that accused/ petitioners are quite innocent and have committed no crime and they have falsely been implicated in this case due to dirty village politics. He further submitted that accused/ petitioners have not involved in any other case and having the clean antecedent. He further submitted that the offence as alleged in FIR is not applicable against the accused/ petitioners. It is also submitted that accused/ petitioners are ready to abide by the provisions of section 482 of B.N.S.S, so they may be admitted to the anticipatory bail.

Ld. PP for the State strongly opposed the anticipatory bail application.

In brief, the prosecution story is that on dated 24.10.2025 at about 08:00 A.M., the minor daughters of the informant namely Gulab Kumari and Kalawati Kumari were returning to home with firewood and the same was fell down near the house of Ram Mukhiya and on this issue he became angry and abused both the girls and also called 5 other accused persons, the petitioners herein and all the accused persons mercilessly abused and assaulted both the victim girls. The accused persons also assaulted on their abdomen, back and another parts of body and also torn their clothes.

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Argument heard from both sides and perused the record as well as case diary. On going through the case diary, it transpires that the police also recorded the statement of the witnesses namely Rajesh Mukhiya, Kamaljit Mukhiya and Birendra Mukhiya and they have duly supported the prosecution case. As per the injury report of injured Gulab Kumari, the doctor has found only body-pain and opined the nature of injury as simple. Similarly, as per the injury report of injured Kalawati Kumari, the doctor has found no abnormal nodular lesions or septal thickening depicted and the pleura and pleural space appears normal and the doctor has opined the nature of injury as simple. As per para No.46 of the case diary, all the accused/ petitioners are having the clean antecedent. In this case there are 6 accused persons, but is not clear that who has assaulted the victim girls. Since, the doctor has opined the nature of injury of both injureds as simple and both the accused persons and the informant are the neighbours.

Hence, keeping in mind the nature of injury, clean antecedent of the accused/ petitioners as well as other surrounding circumstances, I find that all the accused/ petitioners are entitled to get the benefit of anticipatory bail. Therefore, the prayer for anticipatory bail of all the accused/ petitioners stands **Allowed** and in the event of their arrest or surrender before the court within 15 days from the date of receipt of a copy of this order, they are directed to be released on furnishing bail bonds of Rs.20,000/- each with two sureties of like amount each to the satisfaction of Learned Court below with condition that they shall abide by all the conditions laid down in section 482 of B.N.S.S and one of the bailor must be family member or close relative.

Dictated
-Sd-
(Anant Singh)
Sessions Judge, Supaul