

In the Court of Sessions Judge, Supaul

A.B.A.-646/2026

(Arising out of Supaul PS Case No:-256/2026)

<u>15/06/2026</u>	1. Upendra Mukhiya @ Opindar Mukhiya, S/o- Late Bhairab Mukhiya; 2. Ranjay Mukhiya, S/o- Upendra Mukhiya; 3. Inarjit Mukhiya @ Indrajit Kumar Mukhiya, S/o- Upendra Mukhiya; 4. Reena Devi, D/o- Upendra Mukhiya, All R/o- Telwa(Basbitti), Ward No.11, PS + District- Supaul; Accused/Petitioners Vs. State of Bihar.O.P Ld. Counsel for petitioners Sri. Praveen Kumar Mehta, Advocate. Ld. APP Md. Abu Jaffar, for the State. By this order we are going to dispose off the anticipatory bail application filed on behalf of accused/ petitioners, namely 1. Upendra Mukhiya @ Opindar Mukhiya, 2. Ranjay Mukhiya, 3. Idarjit Mukhiya @ Indrajit Kumar Mukhiya and 4. Reena Devi, who are apprehending their arrest in connection with Supaul PS Case No.:- 256/2026, u/s- 126(2), 115(2), 352, 351(2), 109(1), 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 and enmity. 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. APP for the State strongly opposed the anticipatory bail application. In brief, the prosecution story is that on dated 04.04.2026 at about 12:00 noon, the accused persons namely Opindar Mukhiya, Ranjay Mukhiya, Indarjit Mukhiya and Reena Devi were assaulted the son of the informant. The informant further alleged that 2-3 accused persons caught hold his son and accused Indrajit Mukhiya assaulted on his head by Khanti and he is still under treatment in Supaul Sadar Hospital. 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 Raj Kumari Devi, Parvati Devi, Ambe Devi, Rambabu Mukhiya, Sairun Khatoon and injured Ravindra Mukhiya and they have duly supported the contention of the informant. On going through the injury report of injured Ravindra Mukhiya, the doctor has found lacerated wound present on left temporo-parietal region 10 x 3 x 0.5 cm and opined the nature of injury as grievous.	Contd.
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The I.O of this case also submitted the photographs of the head injury of the injured. On the previous date of hearing the injured Ravindra Mukhiya himself appeared before this court and there is the grievous injury mark on his head. On minute scrutiny of the *Fardbyan* as well as entire case diary, it transpires that there is direct and specific allegation against the accused/ petitioner No.3 Inarjit Mukhiya @ Indrajit Kumar Mukhiya for causing injury to the injured Ravindra Mukhiya on his head by *Khanti* and the doctor has also opined the nature of injury as grievous. The allegation against this accused/ petitioner is very serious in nature. The investigation of this case is in primary stage. The custodial interrogation of accused/ petitioner No.3 Inarjit Mukhiya @ Indrajit Kumar Mukhiya is also required. The tempering of the prosecution evidence by this accused/ petitioner is also cannot be ruled out. Hence, I find that accused/ petitioner No.3 Inarjit Mukhiya @ Indrajit Kumar Mukhiya is not entitled to get the benefit of anticipatory bail. As such, the prayer of the anticipatory bail, on behalf of accused/ petitioner No.3 Inarjit Mukhiya @ Indrajit Kumar Mukhiya is hereby, **Rejected**.

So far as, the anticipatory bail prayer of accused/ petitioners No.1, 2 and 4 are concerned, though they are present at the place of occurrence but there is no any specific allegation against these accused/ petitioners for causing any injury to the injured. Moreover, the accused/ petitioner No.4 Reena Devi is a lady. Hence, keeping in mind the nature of allegation and other surrounding circumstances, I find that accused/ petitioners No. 1, 2 and 4 are entitled to get the benefit of anticipatory bail. Therefore, the prayer for anticipatory bail of accused/ petitioners No.1 Upendra Mukhiya @ Opindar Mukhiya, No.2 Ranjay Mukhiya and No.4 Reena Devi 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