

In the Court of Sessions Judge, Supaul
B.A.-407/2026
(Arising out of Bhaptiyahi P.S. Case No.92/2024)

	1.Laltu Mukhiya @ Laltu Kumar Mukhiya @ Liltu Kumar Mukhiya, S/o- Mahendra Mukhiya; 2. Manish Kumar @ Manish Yadav, S/o- Harinandan Yadav, both R/o- Chandpipar, PS-Bhaptiyahi, District- Supaul; Accused/Petitioners Vs. State of BiharO.P.	
<u>12/06/26</u>	Ld. Counsel for petitioners Sri. Sudhir Kumar Jha, Advocate. Ld. APP Md. Abu Jaffar, for the State. By this order we are going to dispose off the bail application filed on behalf of the accused/ petitioners, namely 1. Laltu Mukhiya @ Laltu Kumar Mukhiya @ Liltu Kumar Mukhiya and 2. Manish Kumar @ Manish Yadav, who are in judicial custody since 30.04.2026 in connection with Bhaptiyahi PS Case No.:–92/2024 u/s- 147, 148, 149, 341, 323, 307, 379, 427, 504, 506 of IPC read with section 27 Arms Act. 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 are not involved in any other case and having the clean antecedent. He further submitted that earlier the accused/ petitioner No.1 Laltu Mukhiya @ Laltu Kumar Mukhiya was granted the anticipatory bail by the Hon’ble High Court, Patna. However, the anticipatory bail application of accused/ petitioner No.2 Manish Kumar @ Manish Yadav has been rejected by the Hon’ble High Court, Patna. He further submitted that the offence as alleged in FIR is not applicable against the accused/ petitioners. It is also submitted that both the accused/ petitioners are in judicial custody since 30.04.2026 and no useful purpose would be served by keeping the accused/ petitioners behind the bar. Ld. APP for the State strongly opposed the prayer of bail application. In brief, the prosecution story is that on dated 13.04.2024 at about 04:00 P.M., while the informant was returning to his house on his motorcycle and when he reached near Tengraha Marrarhi near bridge, 8 accused persons named in FIR including these accused/ petitioners having the stick and iron-rod as well as country made pistol forcibly stopped the informant and abused him. Accused Neeraj Yadav snatched the key of the motorcycle of the informant and all the accused persons have indiscriminately assaulted the informant thereby he sustained injury and fell down on the ground. Accused Surya Narayan Yadav assaulted the informant on his head, however, he sustained injury on his hand, accused Manish Yadav also assaulted him by iron-rod and accused Arjun Yadav also assaulted him on his eye and accused Laltu Mukhiya has snatched cash of Rs.5000/- from the informant. All the accused persons damaged his motorcycle and accused Ankit Chaudhary has put the <i>Gamcha</i> on his neck and tried to strangulate him. Accused Laltu Mukhiya also snatched his mobile phone and thrown it in the pond. When the passersby came there then the accused persons ran away from the place of occurrence.	Contd.

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Argument heard from both sides and perused the lower court record as well as case diary. Admittedly both the accused/ petitioners are in judicial custody since 30.04.2026. It is pertinent to mention here that the accused/ petitioner No.1 Laltu Mukhiya @ Laltu Kumar Mukhiya has granted anticipatory bail by the Hon'ble High Court Patna, in Cri. Misc. No.67609 of 2024, vide order dated 13.12.2024, but this accused/ petitioner has not furnished the bail bond within the stipulated time as granted by the Hon'ble High Court Patna. So far as the accused/ petitioner No.2 Manish Kumar @ Manish Yadav is concerned, the anticipatory bail application of accused/ petitioner No.2 Manish Kumar @ Manish Yadav was rejected by the Hon'ble High Court, Patna. Thereafter, both the accused/ petitioners have voluntarily surrendered before the Ld. lower court on 30.04.2026 and since then they are in judicial custody. On going through the case diary, it transpires that the police also recorded the statement of the witnesses namely Vijay Kumar, Ajay Kumar and Ramdev Yadav and they have duly supported the prosecution case. As per the injury report of the injured/ informant Sadanand Yadav as mentioned in para No.116 of the case diary, the doctor has found altogether 4 injuries on his body and opined the nature of injury as simple. On minute scrutiny of the entire case diary as well as *Fardbyan*, it transpires that the allegation against the accused/ petitioners are that they alongwith other accused persons have mercilessly assaulted the informant by stick and iron-rod, but both the accused/ petitioners are in judicial custody since 30.04.2026 and the investigation of this case is almost complete and useful purpose would be served by keeping the accused/ petitioners behind the bar. As per the submission of Ld. counsel, both the accused/ petitioners are having the clean antecedent.

Keeping in mind the period of custody, nature of injury as well as clean antecedent of the accused/ petitioners, I find that both the accused/ petitioners are entitled to be enlarged on bail. Therefore, the bail application, filed on behalf of both the accused/ petitioners namely 1.Laltu Mukhiya @ Laltu Kumar Mukhiya @ Liltu Kumar Mukhiya and 2. Manish Kumar @ Manish Yadav, stands **Allowed** on furnishing bail bond of Rs.20,000/- each with two sureties of the like amount each to the satisfaction of learned Court below and one of the bailor must be family member or close relative.

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