

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9712 of 2026**

Arising Out of PS. Case No.-206 Year-2025 Thana- SAUR BAZAR District- Saharsa

1. Nantosh Mukhiya @ Nantosh Kumar S/o- Pawan Mukhiya R/v- Silet W.No-7, Ps- Sour Bazar Dist- Saharsa
2. Banarsi Mukhiya S/o- Ramdhani Mukhiya R/v- Parwa Rampur Ps- Murliganj Dist- Madhepura
3. Raj Kumar @ Raj Kumar Mukhiya S/o- Tina Mukhiya R/v- Kharela Ps- Supaul Dist- Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anil Mukhiya S/o- Chhathu Mukhiya R/v- Silet W.No-7, Ps- Sour Bazar Dist- Saharsa

... .. Opposite Party/s

**Appearance :**

|                     |   |                      |
|---------------------|---|----------------------|
| For the Petitioners | : | Mr.Binod Kumar Sinha |
| For the State       | : | Mr.Yogendra Kumar    |
| For the OP-2        | : | None                 |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

4      23-07-2026                      Heard learned counsel for the petitioners and learned A.P.P. for the State. Despite valid service of notice, nobody appears on behalf of opposite party no. 2.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 137(2), 96, 3(5) of the Bhartiya Nyaya Sanhita and Sections 8, 12 of the POCSO Act.

3. It is alleged that on account of old enmity, these petitioners along with co-accused Mankhush Singh kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioners submits that



petitioners are quite innocent and have committed no offence. Father of petitioner no. 1 and father of informant are full brothers. Petitioner nos. 2 & 3 are brothers-in-law (बहनोई) of petitioner no. 1 and have been falsely implicated in this case. As per F.I.R. itself, there are pre-existing land dispute between the parties. Police, after investigation, submitted final form against these petitioners and did not send them up for trial, however learned Special Judge (POCSO) took cognizance against them. He further submits that prior to the instant case, sister of petitioner no. 1 had filed a case against informant & others, vide Sour Bazar P.S. Case No. 204 of 2025 and thereafter, wife of informant also filed a case against all the three petitioners and others, vide Sour Bazar P.S. Case No. 205 of 2025. there is no allegation of tampering with the evidence against these petitioners and are ready to cooperate with the investigation.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the



satisfaction of learned ADJ VI cum Special Judge (POCSO),  
Saharsa, in connection with Sour Bazar P.S. Case No. 206 of  
2025, subject to condition as laid down under Section 482 of the  
Bhartiya Nagrik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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