

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22703 of 2026

Arising Out of PS. Case No.-174 Year-2023 Thana- BENIPATTI District- Madhubani

Chhote Mukhiya S/o- Asharfi Mukhiya Resident of Village- Basaith P.S-
Benipatti District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Soban Asghar, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 19-05-2026 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

2. The petitioner is in custody in connection with
Benipatti P.S Case No. 174 of 2023 registered for the offences
punishable under Sections 420, 467, 468, 471/34 of the I.P.C

3. As per prosecution case, forged birth certificate of
Mithilesh Mukhiya was detected and the same was created by a
cyber cafe of this petitioner. It is further submitted that there is
much delay in lodging of F.I.R & there is no reasonable
explanation in this regard which creates doubt regarding the
story of prosecution. It is further submitted that the petitioner is
very poor and old man person.

4. Learned counsel for the petitioner submits that



petitioner has falsely been implicated in this case. It is further submitted that cyber cafe facilitates the students in submission of online application from and in that process, the certificate are made. It is also submitted that petitioner is in judicial custody since 05.12.2025. Petitioner has got no any criminal antecedent as stated in paragraph no. 3 of the bail petition. Co-accused has already been granted bail by the Co-ordinate Bench of this Court *vide* order dated 17.02.2024 passed in Cr. Misc. No. 7469 of 2024.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR and impugned order, it appears that co-accused has already granted bail by the Co-ordinate Bench of this Court *vide* order dated 17.02.2024 passed in Cr. Misc. No. 7469 of 2024. Petitioner has got no any criminal antecedent as stated in paragraph no. 3 of the bail petition. He is in custody since 05.12.2025 and he is ready to co-operate in the investigation as submitted the learned counsel for the petitioner.

7. Considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail on furnishing



bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of A.C.J.M Benipatti, District-Madhubani in connection with Benipatti P.S Case No. 174 of 2023.

(Ramesh Chand Malviya, J)

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