

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22551 of 2026

Arising Out of PS. Case No.-563 Year-2023 Thana- GOVINDGANJ District- East
Champaran

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Ramesh Mukhiya, S/o- Lalji Mukhiya, R/v- Mananpur, Ps- Govindganj, Dist-
East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mrs. Namita Sharma, Advocate
		Mr. Anshu Dhar Sharma, Advocate
For the Opposite Party/s	:	Mr. Aditya Narayan Singh.1, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 17-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Section 363, 364 and 34 of the Indian Penal Code.

3. The case of the prosecution, in short, is that the brother of the informant was missing. When the informant asked from Ramesh Mukhiya, where he was working from two-three years, Ramesh Mukhiya told that he along with one Bhuar Yadav and others has killed Tuntun Sahani.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Learned counsel for the



petitioner has submitted that it is admitted that Tuntun Sahani was working in the orchestra of this petitioner. It has further been submitted that during course of investigation, the wife of Tuntun Sahani has given her statement under Section 164 of the Cr.P.C. Learned trial Court has recorded that under Section 164 Cr.P.C., the wife of Tuntun Sahani has stated that about two months back she went with her husband at Chiraiya for work and where they were engaged in orchestra. After 2-3 days her husband has taken some advance from the owner and that he going to his house and since then he became traceless. Since her husband has taken advance therefore the owner has not relieved her and she somehow fled away for search of her husband. Learned counsel for the petitioner has submitted that the statement of wife of Tuntun Sahani makes it clear that Tuntun Sahani has returned to his house. It has further been submitted that in this case, till today, the body of Tuntun Sahani or Tuntun Sahani is not yet recovered. In this regard, S.P., Motihari has also filed a counter affidavit wherein he has stated that every endeavour has been made by him to recover the body of Tuntun Sahani. The material which has come during investigation does not suggest the involvement of this petitioner. The role of the petitioner in this case is dubious.



Learned counsel for the petitioner has submitted that in this case, petitioner along with one Bhuar Yadav was named and Bhuar Yadav has been granted bail by this Court vide Cr. Misc. No. 55474 of 2024. The case of this petitioner stands on similar footing. He is having no criminal antecedent and he is languishing in judicial custody since 15.12.2025.

5. Learned APP appearing for the State has vehementl opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Govindganj P.S. Case No. 563 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Ist, East Champaran, Motihari.

(Ashok Kumar Pandey, J)

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