

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27731 of 2026

Arising Out of PS. Case No.-228 Year-2025 Thana- MAJHAULIA District- West Champaran

1. Sudarshan Mukhiya @ Doma @ Doma Mukhiya S/O Devsharan Mukhiya R/O Village- Mahanwa Bakuliya Tola, P.S- Majhauriya, Distt.- West Champaran.
2. Mantaj Alam @ Mumtaj Alam @ Paseri @ Mantaz Alam @ Mataj Alam S/O Nasir Miyan R/O Village- Mahanwa Bakuliya Tola, P.S- Majhauriya, Distt.- West Champaran.

... .. Petitioners

Versus

1. The State of Bihar
2. X W/O Mr. Y R/O Village- Mahanwa Rampurva Bakuliya Tola, P.S.- Majhauriya, Dist.- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Md. Aatur Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR
ORAL ORDER

5 28-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Majhauriya P.S. case No. 228 of 2025, instituted for the offences under Sections 75, 62(2), 70(2), 351(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 4 and 6 of the POCSO Act.

3. Prosecution case, in short, is that on 20th April, 2025, the daughter of the informant, who is nine years old, was allegedly abducted by the petitioners and she was taken away by them nearby maize field. Where Mantaj Alam (Petitioner No.2)



allegedly sexually assaulted her while Sudarshan Mukhiya (Petitioner No.1) filmed the said act and threatened to circulate the video. The victim child, initially, stayed silent out of fear, but the incident came to light after she told her family, prompting public outrage.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case on account of inimical term with the local persons. He further submits that informant waited for a considerable long time and when public started discussing about the alleged occurrence then the accused persons were handed over to the Police. He further submits that the victim has not identified the petitioners as offenders, rather, she has stated that petitioners have not committed anything wrong with her. The petitioners were medically examined and no external injury was found on person of any of the petitioners. It has been submitted on behalf of the petitioners that the petitioners are in custody since 20.04.2025 and have no criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. He further submits that the allegations involve a heinous rape and aggravated penetrative sexual assault on a minor. It was further



noted that a video of the said crime being committed was recorded by the petitioners and the alleged video clip of the incident was later on handed over to the police by the informant.

6. Considering the aforesaid facts and circumstances of the case and the fact that, there is direct allegation against the petitioners and also the fact that the age of the victim is nine years, this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

(Alok Kumar, J)

manish/-

U		T	
---	--	---	--

