

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73653 of 2025

Arising Out of PS. Case No.-169 Year-2025 Thana- SUPAUL District- Supaul

Chhedi Mukhiya, Male, aged about 25 years, Son of Juge Mukhiya, Resident of Village- Gopalpur Shiri, P.S.- Supaul, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 21-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Supaul P.S. Case No. 169 of 2025 instituted for the offences punishable under Sections 137(2), 96, 126(2), 115(2), 352 and 3(5) of the BNS, 2023.

3. As per allegation in the FIR, four FIR named accused persons kidnapped the minor daughter of the informant with an intention to marry her.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case only on the basis of suspicion. He submits that the prosecution story is false and concocted. He further submits that there is general and omnibus



allegation against the petitioner and no specific acquisition has been made in the FIR. He next submits that that during course of investigation the Investigating Officer received the CDR Mobile of the petitioner which shows that on the alleged date of occurrence the petitioner is residing at his house and there is no any movement of the petitioner, therefore, no question will arise the involvement of the petitioner. He lastly submits that in course of investigation, the Investigating Officer recorded the statement of the several witnesses but they have only supported the factum of occurrence but not stated anything against the petitioner. Petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 16.05.2025.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. From perusal of the FIR, case diary, and also perused the impugned order dated 06.08.2025 passed by the learned District and Additional Sessions Judge-VI-cum-Special Judge Exclusive POCSO Court, Supaul, it appears that on the basis of written report of the informant, namely, Nagendra Sharama @ Nageshwar Sharma, FIR has been registered under Sections 137(2), 96, 126(2), 115(2), 352 and 3(5) of the BNS, 2023 against seven co-accused persons including the present



petitioner and the allegation is of kidnapping the minor daughter of the informant with an intention of marry her. From perusal of the records it also appears that the victim has not been recovered as yet, so considering the facts and circumstances of the case and submissions of learned counsel for the petitioner that the involvement of the petitioner in the said occurrence as well as gravity of offence, I am not inclined to grant bail to the petitioner.

7. Prayer for regular bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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