

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77742 of 2025

Arising Out of PS. Case No.-155 Year-2025 Thana- GOVINDGANJ District- East
Champaran

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RITESH KUMAR MUKHIYA @ RITESH KUMAR S/O BANARSI
MUKHIYA @ BANARASHI MUKHIYA R/o Village- Purana Dih, P.S-
Harsidhi, Dist- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kalam Miyan S/o Late Dilu Miyan R/o Village- Vinvaliya, P.S- Govindganj,
Dist- East Champaran

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 04-02-2026 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with
Govindganj P.S. Case No. 155 of 2025, instituted for the
offences punishable under Sections 137(2), 96 of the Bharatiya
Nyaya Sanhita, 2023, read with Sections 8 and 12 of the
POCSO Act.

3. The prosecution case, in short, is that the petitioner
along with other co-accused persons have lured the minor
daughter of the informant and she took away ornaments along
with Rs. 1,10,000/- cash from the house.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submitted that the allegation levelled against the petitioner is general and omnibus in nature. The petitioner has not committed any such offence as alleged against him. It is next submitted that daughter of the informant has left her house on her own will and the petitioner has never committed any wrongful act with her. It is further submitted that the victim has not levelled any allegation against the petitioner in her statement recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023. The petitioner is in custody since 21.06.2025 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Govindganj P.S.
Case No. 155 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of
the family of the petitioner.

(II) The petitioner shall appear on each and every date
fixed at the trial. In case of default in such appearance on two
consecutive dates, the prosecution will have liberty to move for
cancellation of bail.

(Rudra Prakash Mishra, J)

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