

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90838 of 2025

Arising Out of PS. Case No.-93 Year-2025 Thana- DARPA District- East Champaran

Umesh Mukhiya S/o- Shital Mukhiya Village- Tinkoni PS- Darpa Distt- East
Chamaparan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Subodh Kumar Mishra, Advocate
For the Opposite Party/s	:	Mr. Dilip Kumar No. 1, APP
For the Informant	:	Mr. Rajesh Kumar, Advocate
		Mr. Amardeep, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-01-2026 Heard Mr. Subodh Kumar Mishra, learned counsel
for the petitioner, Mr. Rajesh Kumar, learned counsel for the
informant as well as Mr. Dilip Kumar No. 1, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
13.10.2025 in connection with Darpa P.S. Case No. 93 of 2025,
F.I.R. dated 16.04.2025 for the offences punishable under
Sections 316(2), 318(4), 338, 336(3) and 3(5) of the BNS, 2023.

3. According to prosecution case, this petitioner along
with other accused persons in a fraudulent manner created riots
near the pond and defrauded Rs. 27,440/- in the name of the
Govt. revenue.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. As per the allegation in the F.I.R, the petitioner and other accused persons have called a meeting and prepared a fake proposal where the petitioner acted as a President of the Fisheries Samiti and submitted a proposal in the Directorate of Fisheries and on the basis of the said fake proposal the Directorate had settled a pond in favour of the petitioner. He further submits that the proposal was signed by number of persons including the petitioner and he is not the only beneficiary of that proposal. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 13.10.2025.

5. Learned counsel for the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Raxaul at Motihari, East Champaran in connection with Darpa P.S. Case No. 93 of 2025, subject to the following conditions:-



i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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