

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90286 of 2025

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

Ramchandra Prasad @ Bola Mukhiya @ Bhola Mukhiya S/o Shankar
Mukhiya R/o Village - Gonahi, P.S - Chhauradano, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prateek Tandon, Advocate

For the Opposite Party/s : Mr.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-01-2026 Heard Mr.Prateek Tandon, learned counsel for the

petitioner and Mr.Mohammed Arif, learned Additional Public

Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
14.10.2025 in connection with Darpa P.S. Case No.93 of 2025,
dated 16.04.2025 registered for the offences punishable under
Sections 316(2),318(4),338,336(3),3(5) of BNS, 2023.

3. The prosecution case in short is that there is
allegation against the petitioner that he alongwith Umesh
Mukhiya illegally held a meeting of a fake management
committee and prepared a fake proposal and petitioner
Ramchandra Prasad by becoming the so-called minister and
Umesh Mukhiya submitted letter no. 12 dated 22.09.2024 to the
Fisheries Directorate, Bihar, Patna for long term pond



settlement. And in the light of that by issuing a provisional lease of long term settlement of Lohdia pond khata no. 0 khesra 115 area 191 acres of village Lohdia P.S. Darpa in a fraudulent manner, they are bent upon creating riots at the pond. And Rs. 27,440/- have been defrauded in the name of Government revenue. Whereas the said power is given to the present Chairman and Minister. The B.D.O. has also certified that he has issued certificate in favour of the elected president and others and the accused persons have committed fraud.

4. Learned counsel appearing for the petitioner submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. As per allegation in the FIR, the petitioner and other co-accused persons on the basis of the so called meeting prepared a fake proposal and become a Minister and President of the said Committee and on that basis the Government has settled the pond in favour of fake Committee and petitioner is so called Minister of the said Committee and they have altogether misappropriated the amount of Rs. 27,440/- and co-accused person, namely, Umesh Mukhiya, who is Chairman of the said Committee, has been granted bail by this Court vide order dated 13.01.2026 passed in Cr. Misc. No.90838



of 2025. The police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 14.10.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner has participated in the present crime in question and he carries six more cases other than the present one but fairly submits that the petitioner is on bail in all the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, similarly situated co-accused person, namely, Umesh Mukhiya, who is Chairman of the said Committee, has been granted bail by this Court as well as period of custody, 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 learned J.M.-1st Class, Motihari East Champaran in connection with Darpa P.S. Case No.93 of 2025, with 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/her absence on two consecutive dates without sufficient



reason, his/her 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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