

**IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE - I
EAST CHAMPARAN, MOTIHARI.
Bail Petition No. 1508 of 2026**

Name of petitioner:

1. Chalitar Mukhiya, s/o- Yodha Mukhiya alias Jodha Mukhiya

Resident of Village- Beldarwa, Ward no. 6, P.S.- Adapur, District- East Champaran

.....Petitioner

Versus

The State of Bihar

... ..Opp. Party/s

Appearance :

For the petitioner/s : Sri Ajay Kumar, Id. Advocate.

For the Opp. Party/s : Sri Khublal Prasad, Id. P.P.

ORDER

18-06-2026

Heard learned counsel for the petitioner and learned P.P. appearing on behalf of the prosecution.

The petitioner seeks regular bail under Section 439 of Cr.P.C. in connection with Darpa P.S. Case No. 93 of 2026 registered under Sections 317(2), 317(5), 3(5) of B.N.S. pending in the learned Court of S.D.J.M. - Raxaul at Motihari, East Champaran. Petitioner is under custody since 25.04.2026.

The case of the prosecution in brief as stated by the informant Sub-Inspector Krishna Singh, currently posted at Darpa Police Station in his written application that he along with other police personnel were on night patrolling duty on 23.04.26 at about 03:30 pm at Gamharia Chowk and during night patrolling, the they were checking the vehicles returning after watching the village Belhahiya Mahayagna. During the vehicle checking, One miscreant was riding on a black colour Hero Splendor Plus motorcycle, Reg. No.-BR05BL 0982, on seeing the police vehicle checking, he tried to fled away but he was apprehended by the police personnel. On being asked, he disclosed his name as Chalitar Mukhiya and when a black colour Hero Splendor Plus motorcycle was checked, the number plate inscribed on it was found to be BRO5BL0982, engine number-HA11E7R9M20478, chassis number-MBLHAW341R9M00353. When the documents of the vehicle were asked from the accused petitioner, no documents were produced. Then the engine number and chassis number of the said motorcycle were checked with the HHD machine kept nearby, and the said black colour Hero Splendor Plus motorcycle Reg. No.- BRO5BL0982, engine number-HA11E7R9M20478, chassis number-MBLHAW341R9M00353 and the owner of the vehicle was found to be Niraj Kumar. When questioned about the recovered motorcycle, accused petitioner stated that it was his motorcycle and he has bought it from Nepal. On being asked for the documents, no documents were produced by the petitioner. Later on he disclosed

that the said motorcycle was stolen and he was bought from a person from Nepal, whose name and address he does not know. Thereafter seizure list was prepared and the accused petitioner was arrested.

It has been submitted on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. No other regular or anticipatory bail petitioner has been filed earlier in this case on behalf of the petitioner either before this court or before the Hon'ble High Court, Patna. Petitioner has one criminal antecedent. Further it has been submitted that the allegation whatsoever leveled against the petitioner is false and concocted. No any incriminating article has been recovered from the possession of the petitioner. Moreover petitioner is languishing in jail custody since 25.04.2026. Hence he may be enlarged on bail.

Ld. P.P. has opposed the bail application and has submitted that there is sufficient material available against him in the case diary.

Heard both the sided and perused the record. From perusal of record it appears that the allegation against the petitioner that he was apprehended by the police along with one stolen motorcycle and being asked he disclosed that he purchased the said motorcycle from Nepal. Moreover he is in jail custody since 25.04.2025.

Considering the above discussed facts, circumstances and particularly the period of detention, the prayer of the above named petitioner for bail is hereby **allowed**. The above named accused petitioner is directed to be released on bail **after framing of charge** on furnishing bail bond of Rs. 10,000/- only (Rupees Ten Thousand only) with two sureties of the like amount each subject to the satisfaction of the Ld. concerned court in connection with Darpa P.S. Case No. 93/2026 and subject to further condition:- (i) One of the bailor shall be the close relative of the petitioner, (ii) He will file an undertaking that he shall cooperate in trial and shall be physically present when and where required, (iii). He shall also undertake that he shall not indulge himself in similar activities.

(Dictated)

Sd/-

(Surendra Prasad)

District & Addl. Sessions Judge - I

Motihari, East Champaran

Dated:18.06.2026