

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34323 of 2016

Arising Out of PS.Case No. -256 Year- 2015 Thana -SURSAND District- SITAMARHI

- =====
1. Fulgen Mukhiya Son of Jagdeo Mukhiya resident of village - Koiriyahi,
P.S. Sursand, District - Sitamarhi

.... Petitioner

Versus

1. The State of Bihar
2. Bujhawan Mukhiya S/o Late Megharu Mukhiya, Village-Bhima
Makleshwar, P.O. Narayanpur, P.S. Pupri, District- Sitamarhi

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Mithilesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 09-01-2017 Heard learned counsel for the petitioner, learned
counsel for the Opposite Party No.2 and learned counsel for the
State.

The petitioner seeks bail in a case instituted under
Sections 304(B) and 201/34 of the Indian Penal Code.

The allegation against the petitioner is of committing
murder of the daughter of the informant due to non-fulfillment of
the demand of dowry and subsequently disposed her dead body to
conceal the evidence.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 17.03.2016. The charge sheet has
been submitted in the present case. The petitioner has got no



criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused due to mistake of fact. The informant vide Annexure-3 to the present application has made a petition before the learned court below stating that due to mistake of fact, the present case has been instituted. The deceased has died due to illness.

The learned Counsel for the Opposite Party No.2 is present in the Court. He supports the Annexure-3 to the present application.

On behalf of the state, it has been submitted that the petitioner is named in the F.I.R.

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 S.D.J.M., Pupri at Sitamarhi, in connection with Sursand P.S. Case No. 256 of 2015.

(Sudhir Singh, J.)

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