

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.31442 of 2017**

Arising Out of PS.Case No. -109 Year- 2015 Thana -BIRAUL District- DARBHANGA

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1. Rajesh Mukhia,  
2. Naresh Mukhia, Both are Sons of Bhola Mukhia, Resident of Village-  
Sonepur, P.S.- Biraul, District- Darbhanga.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pankaj Kumar Jha

For the Opposite Party/s : Mr. Dr. Indivar Kumari

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR**  
**UPADHYAY**  
ORAL ORDER

2      13-07-2017                      Heard learned counsel for the petitioners and the  
  
State.

The petitioners are apprehending arrest in connection  
with Biraul P.S. Case No. 109 of 2015 for the offence under  
sections 304(B) and 201/34 of the Indian Penal Code.

The petitioners are Dewars of the deceased. There is  
statement on affidavit in paragraph-3 that the petitioners have no  
criminal history and their antecedents are good.

From perusal of the FIR, it appears that there general  
and omnibus allegation against the petitioners as well as father and  
mother of the petitioner for committing murder of the daughter of  
the informant.



Counsel for the petitioners submits that in Cr. Misc. No. 8322 of 2017 vide order dated 29.6.2017 anticipatory bail was granted to the similarly circumstanced co-accused including the mother-in-law of the deceased against whom there was general and omnibus allegation in the FIR. Considering the facts that petitioners are Dewars of the deceased and the fact that mother-in-law of the deceased has already been granted anticipatory bail in Cr. Misc. No. 8322 of 2017 and also the fact that in paragraph -3 there is statement on affidavit that the petitioners have no criminal antecedent, let the petitioners, named above, be released on bail in the event of arrest or surrender before the Court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Biraul, Darbhanga, in connection with Biraul P.S. Case No. 109 of 2015, subject to the condition as laid down under section 438(2) of the Cr.P.C.

**(Anil Kumar Upadhyay, J)**

Ravi/-

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