

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.62124 of 2017**

Arising Out of PS.Case No. -197 Year- 2017 Thana -BHARGAWAN District- ARRARIA

=====

Chhotu Mukhiya S/o Sikandar Mukhiya, R/o Village- Shakarpura P.S.-  
Singheshwar, District- Madhepura.

.... .... Petitioner/s

Versus

The State of Bihar

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

=====

**Appearance :**

For the Petitioner/s : Mr. Mukesh Kumar Rana, Adv.

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

=====

**CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR**  
**ORAL ORDER**

3      23-01-2018                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Bhargama  
Police Station Case No. 197 of 2017 registered for offences  
punishable under sections 302 and 201/34 of the Indian Penal  
Code.

The informant has alleged that all the six FIR named  
accused conspired and committed murder of her mother with  
intention to grab her landed property.

It has been submitted that the petitioner is son-in-law  
of deceased. The wife of this petitioner is sole surviving  
descendant of deceased. The petitioner was residing with his wife  
at his place (Madhepura) where the cousin brother of informant,  
namely Kaushal Mukhiya came and returned back to his



village-Manpur Nawalganj with the mother-in-law of this petitioner. Subsequently the informant learnt that her mother is not at her home. Thereafter she along with her husband vitiated at the place of Kaushal Mukhiya and enquired about her mother. In course of search, the cousin brother of informant admitted the murder of deceased by him. On his confession, the dead body was also recovered. The apprehended accused divulged the name of this petitioner only for the purpose of grabbing the land of the deceased. It has been further submitted that there was absolutely no motive to kill his own mother-in-law as his wife was the only successor of her interest in landed property. Except the disclosure of name of this petitioner in confessional statement of co-accused, there is nothing against this petitioner. The statement was recorded at the instance of co-accused Kaushal Mukhiya. The petitioner is in custody since 15.09.2017 having clean antecedent and this petitioner had gone with the informant to lodge the case at police station.

Considering the facts and circumstances of the case, the prayer for bail is allowed and the above named petitioner is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in



connection with Bhargama Police Station Case No. 197 of 2017,  
subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

**(Sanjay Kumar, J)**

Mahesh/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

