

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.38649 of 2018**

Arising Out of PS. Case No.-420 Year-2017 Thana- NAUTAN District- West Champaran

Lal Bahadur Mukhiya S/o Late Nathuni Mukhiya, R/o Vill.- Bhediharwa,  
P.S.- Nautan , District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Md. Arif

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**

ORAL ORDER

3      24-08-2018                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Nautan P.S. Case No. 420 of 2017 registered for the offence punishable under Sections 302/34 of the Indian Penal Code and Section 27 of Arms Act.

Informant is the daughter of deceased, who in her written complaint has stated that her father always use to assault her mother as her father had illicit relation with one Meena Devi which was always protested by her mother but her father use to give threatening to kill her mother. On 14-15.10.2017 at about 12 'o' clock in the night 4 accused persons killed the mother of informant by gun shot while she was



sleeping.

It has been submitted on behalf of the petitioner that petitioner is not named in FIR and nothing alleged against the petitioner in whole FIR. It has been further submitted that there is no eye witness of the occurrence. The name of petitioner has surfaced on the basis of confessional statement of the husband of the deceased, except that nothing came against the petitioner. According to postmortem report, doctor has not found any gun shot injury on the body of the deceased. He has no criminal antecedent and is in custody since 28.10.2017.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- Vith Bettiah, West Champaran, in connection with Nautan P.S. Case No. 420 of 2017.

**(S. Kumar, J)**

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