

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.76559 of 2018

Arising out of PS. Case No.-197 Year-2017 Thana- BHARGAMA District- Araria

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1. Ranjit Mukhiya and Ors S/o Rajjo Mukhiya @ Rajendra Mukhiya,
 2. Mankush Mukhiya, S/o Rajjo Mukhiya @ Rajendra Mukhiya,
 3. Rajjo Mukhiya @ Rajendra Mukhiya, Son of Late Gujay Mukhiya, All residents of Village- Manipur Nawalganj, P.S.- Bhargama, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha

For the Opposite Party/s : Smt. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 11-01-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

Petitioners seek bail in a case registered under Sections 302, 201/34 of the Indian Penal Code.

Petitioners' counsel submits that from the allegations made in the first information report (for brevity, FIR), the case against the petitioners comes under serious shadow of doubt. It has been stated in the FIR itself that the informant's mother had gone along with the co-accused Kaushil Mukhiya to live with him at his house and was residing there for the last four months. It is submitted that in course of investigation, it has come that informant's husband Chhotu Mukhiya has been allowed bail by this Court in Cr. Misc. No. 62124 of 2017. It is also submitted that there is no motive in favour of the instant petitioners as by committing murder of the victim, they cannot inherit any property. It is further submitted that case of the petitioners are on better footing than that of Chhotu Mukhiya. Prior to this



case, the petitioners have no criminal antecedent and they are in custody since 27.09.2018. It is further submitted that the said main accused Kaushil Mukhiya has already been granted bail by this Court by an order dated 06.04.2018 passed in Criminal Miscellaneous No. 12989 of 2018.

Considering the aforesaid submission, prayer for bail is allowed. Let the petitioners above named be released on bail on their furnishing bonds of Rs. 10,000/- (Rupees Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Bhargama P.S. Case No. 197 of 2017 subject to the following conditions:

- (1) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.*
- (2) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.*

S.Sb/-

(Mohit Kumar Shah, J)

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