

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20150 of 2020

Arising Out of PS. Case No.-9 Year-2019 Thana- NADI District- Supaul

SANJAY MUKHIYA Son of Jawahar Mukhiya Resident of Village-Khokhnaha Amin Tola, Ward No.02, P.S.-Nadi Thana, District-Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kuldeep Kumar

For the Opposite Party/s : Mr.Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 18-09-2020 Heard both sides through Video Conferencing.

The petitioner seeks bail in Nadi P.S. Case No.9 of 2019 registered under Sections 302, 201 and 120B of the Indian Penal Code.

The informant, brother of Runa Devi, alleged that her sister was married with Hareram Mukhiya @ Kari Mukhiya twelve years ago but her husband and other in-laws were torturing his sister. On 27.03.2019, father-in-law(Jawahar Mukhiya), brother-in-law, Sanjay Mukhiya(the petitioner), husband (Hareram Mukhiya), brother-in-law(Laxman Mukhiya) and mother-in-law(Saraswati Devi) and sisters-in-law, Phul Kumari and Saro Devi, assaulted the sister of the informant and killed her with her three children by administering poison.

Learned counsel for the petitioner submits that prayer



for bail of the petitioner was earlier rejected by this Court vide order dated 20.11.2019 passed in Cr. Misc. No.49319 of 2019. The case was earlier registered under Section 302 and other Sections of the Indian Penal Code but later on police submitted chargesheet under Section 306 and other Sections of the Indian Penal Code. Father-in-law (Jawahar Mukhiya) and mother-in-law (Saraswati Devi) have been granted bail in Cr. Misc. No.76771 of 2019 and Cr. Misc. No.37883 of 2019 respectively. The case of the petitioner stands on the same footing. Petitioner is brother-in-law(bhaisur) of the deceased and no specific allegation is made against the petitioner but it appears that on perusal of the post-mortem report, the deceased got external injury on her body. The body of three children were recovered from under the sand by the side of the river. This fact itself shows that four persons were done to death inside the house and dead body was concealed.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for regular bail of the petitioner is once again rejected.

(Prabhat Kumar Jha, J)

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