

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79136 of 2019

Arising Out of PS. Case No.-33 Year-2018 Thana- BHEJA District- Madhubani

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1. AMAR MUKHIYA @ AMARJEET MUKHIYA Son of Bhola Mukhiya, Resident of Village-Daldal, P.S-Bheja, District-Madhubani.
 2. Bhola Mukhiya Son of Kapileshwar Mukhiya, Resident of Village-Daldal, P.S-Bheja, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 28-05-2020 Heard Mr. Gagan Deo Yadav, learned counsel for the
petitioners and learned A.P.P. through Video Conferencing.

Petitioners seek bail in Bheja P.S. Case No.33 of
2018 registered under Sections 147, 148, 149, 341, 323, 324,
325, 354, 448, 307, 302 and 504 of the IPC.

The gist of the allegation as alleged by Hira Devi
(informant) is that all the accused persons including the
petitioners having armed with different weapons entered into
her courtyard and started assaulting the informant and other
family members of the informant. Ram Narayan Mukhiya,
Bhola Mukhiya (petitioner no.2) and Amar Mukhiya (petitioner
no.1) are alleged to have assaulted Puran Mukhiya (husband of



the informant). The husband of the informant got injuries on his head. The husband of the informant and others were referred to D.M.C.H. On 16.04.2018 the husband of the informant died.

Learned counsel for the petitioners submits that Ram Narayan Mukhiya, Amar Mukhiya and Bhola Mukhiya are alleged to have assaulted the deceased on his head but only two injuries are found on the head of Puran Mukhiya (deceased). The other accused persons have already been enlarged on bail. The petitioners are in jail since 15.03.2019 and only charges have been framed but it appears from perusal of postmortem report that two stitch wounds were found on the head of the deceased, which show that more than two blows were given on the head of the deceased causing his death during course of treatment. The petitioners are the assailants of the deceased.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioners on bail at this stage. Accordingly, the same is rejected.

The trial court is directed to hold the trial on day to day basis and conclude the same within nine months from the date of receipt of this order.

The Superintendent of Police, Madhubani is directed to ensure the attendance of the prosecution witnesses before the



trial court so that the trial must be concluded within nine months.

Let a copy of this order be sent to the trial court as well as the Superintendent of Police, Madhubani for information and needful.

If the trial is not concluded within nine months without fault of the petitioners, the petitioners may renew their prayer for bail thereafter.

(Prabhat Kumar Jha, J)

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