

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66240 of 2021

Arising Out of PS. Case No.-648 Year-2020 Thana- BAGHA District- West Champaran

Ravi Mukhiya, Son of Modi Mukhiya, Resident of Village - Pararkhap, P.S. -
Bhairoganj, District - West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithvi Nath Mishra, Advocate

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 12-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect (s), if any, as pointed out by the office
be removed within four weeks from the date of resumption of
physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in
connection with Bhairoganj P.S. Case No. 648 of 2020,
registered for the alleged offences under Sections 376, 302 and
120 of the Indian Penal Code.

As per the prosecution case, the wife of the informant
was murdered by strangulation and the informant named this
petitioner along with other co-accused persons who might have
killed her.

The learned counsel for the petitioner submits that



there is nothing against this petitioner except suspicion. There is no eye witness to the occurrence. Previous enmity is admitted. Nothing incriminating has been recovered from the person/possession of the petitioner and the allegations are merely general and omnibus. Similarly placed co-accused, namely Dilip Mukhiya and Roshan Mukhiya have been granted bail by a Coordinate Bench of this Court vide order dated 27.07.2021 passed in Cr. Misc. No. 18335 of 2021. The petitioner is in custody since 16.09.2021 and is having clean antecedent. The charge sheet has been submitted in this case.

Learned A.P.P. though opposes the prayer for bail, but concedes that nothing has come on record to show the involvement of the petitioner in the alleged occurrence except suspicion.

Perused the records.

Having regard to the facts and circumstances and submissions made hereinabove and considering the lack of material against the petitioner to connect him to the murder of the wife of the informant and further considering grant of bail to similarly placed co-accused persons and also considering the submission of charge sheet and the period of custody of the petitioner along with his clean antecedent, he is directed to be



released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1, Bagaha, West Champaran, in connection with Bagaha (Bhairoganj) P.S. Case No. 648 of 2020, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

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(Arun Kumar Jha, J)

