

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.357 of 2022

Arising Out of PS. Case No.-229 Year-2021 Thana- RAJNAGAR District- Madhubani

1. GARIB MUKHIYA, Son of Gulesh Mukhiya, Resident of Village-Chaudharana, P.S.- Rajnagar, District- Madhubani.
2. Bhutair Devi @ Budhuyari Devi, W/o Garib Mukhiya, Resident of Village-Chaudharana, P.S.- Rajnagar, District- Madhubani.
3. Sharvan Mukhiya, Son of Garib Mukhiya, Resident of Village-Chaudharana, P.S.- Rajnagar, District- Madhubani.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shankar Kumar Thakur, Advocate
For the Opposite Party/s : Mr.Akhileshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-05-2022 Learned counsel for the petitioners undertakes to remove all the defects as pointed out by office within two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioners and Mr. Akhileshwar Dayal, learned A.P.P. for the State.

Petitioners in the present case are seeking regular bail in connection with Rajnagar P.S. Case No. 229 of 2021 registered for the offences punishable under Section 304(B), 302, 34 and 201 of the Indian Penal Code. They are in custody since 06.09.2021 and 09.09.2021 respectively. The petitioners have got no criminal antecedent.



Learned counsel for the petitioners submits that as per the prosecution story, the informant solemnized the marriage of her niece with Nandu Mukhiya and after marriage his niece informed the brother of the informant regarding demand of motorcycle as dowry by her in-laws to which his brother was unable to fulfill. It is alleged that on 07.08.2021 the informant got information that his niece has been killed by hanging and they are setting the dead body on fire.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is submitted that the petitioners are the father-in-law, mother-in-law and the elder brother-in-law of the deceased respectively. The husband is already in judicial custody and the allegations of demand of dowry is only general and omnibus. It is submitted that it is a case of suicide.

Mr. Akhileshwar Dayal, learned APP for the State is present and has opposed the prayer for regular bail of the petitioners.

Having regard to the submissions that the petitioner no. 1 is the father-in-law, petitioner no. 2 is the mother-in-law and petitioner no. 3 is the elder brother-in-law of the deceased, the husband is already in judicial custody and the allegations of



demand of dowry is only general and omnibus and that it is a case of suicide which is also mentioned in the impugned order, the petitioners have remained in custody for over eight months, investigation against them is complete and their presence may be secured in course of trial, this Court directs that the petitioners above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -1st, Madhubani in connection with Rajnagar P.S. Case No. 229 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Rajeev Ranjan Prasad, J)

vats/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

