

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 14568 of 2023

Arising Out of PS. Case No.-364 Year-2022 Thana- RAGHOPUR District- Supaul

GYANI MUKHIYA S/O Late Bhular Mukhiya R/O Village- Simrahi (Ward
No- 03), P.S- Raghopur, District- Supaul Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Jha, Advocate

For the Opposite Party/s : Mr.Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

8 11-09-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since
17.09.2022 in connection with Raghopur P.S. Case No. 364 of
2022, F.I.R. dated 17.09.2022 for the offences punishable under
Sections 364 and 34 of the Indian Penal Code.

3. The prosecution case, in short, is that the informant
alleges that the petitioner alongwith co-accused Dheeraj
Mukhiya (petitioner's son from his first wife) started torturing
his daughter and on many occasions they tried to kill her by
poisoning or strangulation. It is further alleged that from
09.09.2022 his daughter is traceless and informant is fully
confident that after murder of his daughter dead body had been
disposed of by the accused persons.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and the informant is not the eye witness of the alleged occurrence and only on the basis of suspicion the present false case has been instituted against the petitioner.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that there is sufficient material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and D.N.A.Test report suggests that the dead body was received is of daughter of the informant.

6. Considering the aforesaid fact, there is direct and specific allegation against the petitioner, I am not inclined to enlarge the petitioner on bail in connection with Raghapur P.S. Case No. 364 of 2022 pending in the court of learned Addl. Chief Judicial Magistrate, Birpur, Supaul.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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