

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32807 of 2023

Arising Out of PS. Case No.-46 Year-2022 Thana- BHEJA District- Madhubani

1. KAMESHWAR MUKHIYA Son of Bholan Mukhiya Resident of village - Daldal, P.S. - Bheja, Distt. - Madhubani
2. Hareram Mukhiya Son of Kameshwar Mukhiya Resident of village - Daldal, P.S. - Bheja, Distt. - Madhubani
3. Ajit Kumar Mukhiya @ Ajit Kumar Son of Hareram Mukhiya Resident of village - Daldal, P.S. - Bheja, Distt. - Madhubani
4. Maniya Devi Wife of Kameshwar Mukhiya Resident of village - Daldal, P.S. - Bheja, Distt. - Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 17-08-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Bheja P.S. Case No. 46 of 2022 registered for the offences punishable under Section 365 of the Indian Penal Code.

3. The Investigating Officer of the case, in compliance of the order dated 31.07.2023, is present in the Court.

4. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant



alleges that Ranju Devi for sometime was in contact with several persons on mobile and all of a sudden since 11.06.2022 went missing, further despite hectic search, she could not be located, thus alleges that she is not aware whether victim is even alive or not, further Ranju Devi has two sons aged about 14 years and 12 years respectively.

5. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case based on suspicion and petitioner no. 4 is a woman aged about 69 years, it is next submitted that during the course of investigation it transpired that Ranju Devi is sister-in-law of the informant and petitioner no. 2 made a call to Ranju Devi and thereafter she went to the house of petitioner no. 2 but did not return, it also transpired that the accused persons, including the petitioners, killed her and buried the dead body in the house but on 14.06.2022, they dumped the dead body in the septic tank of one Bansidhar Jha. The learned counsel for the petitioner next submits that the mobile of the deceased was found in possession of the informant but then she did not name anyone based on suspicion i.e. with whom Ranju Devi was talking or who made a call to her on the date of occurrence when the FIR was instituted, it is further submitted that even the FIR was instituted



three days after the occurrence and there is no eyewitness to the occurrence.

6. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioners and submits that during the course of investigation it transpired that deceased was having extramarital relation with Hareram Mukhiya, who is son of petitioner no.1, who was working outside the State, it is next submitted that it has come during the course of investigation that the accused persons, including the petitioners, had hatched a conspiracy against the deceased, it is further submitted that Hareram Mukhiya made a call to Ranju Devi i.e. the deceased and asked her to make him talk to his wife, accordingly the deceased went to the house of Hareram Mukhiya from where she never returned. The learned A.P.P. further submits that during the course of investigation, the dead body of the deceased was found in the septic tank of Bansidhar Jha and the house of Bansidhar Jha is adjacent to the house of petitioner no.1, it is next submitted that during the course of investigation, the house of the petitioners was also inquired and it was found that some remains of the dead body were found which were seized, the learned APP thus submits that though there is no eyewitness to the occurrence but the circumstances



suggest that it were the petitioners who were instrumental and involved in the offence of killing the deceased.

7. Considering the submissions made by the learned A.P.P. for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioners. Their prayer for anticipatory bail is thus rejected.

8. The personal appearance of the Investigating Officer is dispensed with.

(Satyavrat Verma, J)

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