

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54639 of 2023

Arising Out of PS. Case No.-182 Year-2022 Thana- BITHAN District- Samastipur

1. Raj Kumar Mukhiya S/O Jageshwar Mukhiya Resident Of Village- Malsar, P.S- Bithan, District- Samastipur.
2. Shyamla Devi W/O Raj Kumar Mukhiya Resident Of Village- Malsar, P.S- Bithan, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Binod Kumar Sinha, Adv.
	:	Mr. Shishir Kumar Shishir, Adv.
	:	Mr. Mani Bhushan Kr. Singh, Adv.
For the Opposite Party/s	:	Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-08-2023 Heard learned Counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Bithan P.S. Case No.182 of 2022 dated 09.10.2022, lodged under Sections 376, 376(D), 302, 120B/34 of the Indian Penal Code.

3. As per prosecution case, the F.I.R. has been lodged against three named accused persons including the present petitioners. It has been alleged in the F.I.R. that one of the named accused persons namely Ranvir Mukhia made indecent video of sister of the informant, thereafter, the petitioners along with other co-accused persons murdered the sister of the informant.

4. Learned counsel for the petitioner submits that petitioners are innocent and have not committed any offence. He

submits that the deceased was a married woman and due to family dispute, petitioners have been falsely implicated in this case.

5. Learned A.P.P. for the State opposes the prayer for bail and submits that the witnesses have supported the prosecution case.

6. In the present facts and circumstances and the submissions made above, this Court is not inclined to extend the privilege of anticipatory bail to the petitioners in connection with Bithan P.S. Case No.182 of 2022 to the satisfaction of learned Judicial Magistrate-1st Class, Rosera, Samastipur.

7. Accordingly, the prayer for anticipatory bail of the petitioners stands rejected.

8. However, the learned Court below shall consider the prayer for regular bail of the petitioners, if the petitioners surrender within a period of four weeks.

9. The present order shall not cause any prejudice to the petitioners.

(Dr. Anshuman, J.)

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