

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16297 of 2024

Arising Out of PS. Case No.-62 Year-2023 Thana- BHAIKAVSHTHAN District- Madhubani

1. Nathuni Mukhiya SON OF UTTAM MUKHIYA RESIDENT OF VILLAGE- MOHANPUR, PS- PANDAUL, DISTT- MADHUBANI
2. REKHA DEVI WIFE OF RAMANJEE MUKHIYA RESIDENT OF VILLAGE- RAIYAM, PS- BHAIKAVSTHAN, DIST- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Bharti, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-03-2024 Heard the parties.

2. The petitioners are apprehending arrest in connection with Bhairab Asthan P.S. Case No. 62 of 2023 instituted under Sections 304(B), 201/34 of the Indian Penal Code lodged on 19.5.2023 by the informant, Soniya Devi.

3. As per the prosecution story, the informant alleged that her daughter was married to one Rambahadur Mukhiya but was tortured for dowry and subsequently got information about her killing. Thus, the F.I.R.

4. Learned counsel for the petitioners submit that the petitioner no.1 is the co-villager while petitioner no.2 is sister-in-law of the deceased, having no role to play in the matter and



only because the petitioner no.1 is close to the accused side while the petitioner no.2, sister-in-law, have been implicated.

5. Learned APP opposes the prayer stating that their names have come in the FIR.

6. Considering the aforesaid facts, the main allegation is against the husband, Ram Bahadur Mukhiya, the petitioner no.2 is the sister-in-law while petitioner no.1, is the co-villager of the deceased, they do not have criminal antecedent, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Bhairab Asthan P.S. Case No. 62 of 2023 to the satisfaction of learned Additional Chief Judicial Magistrate-I, Jhanjharpur, Madhubani subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;



(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Ravi/-

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

