

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34448 of 2024

Arising Out of PS. Case No.-243 Year-2023 Thana- MADHEPUR District- Madhubani

Ram Charitra Mukhiya @ Ram Charitra Prasad SON OF BHUTTU
MUKHIYA @ BHUTTU SAHANI VILLAGE- PACHAHI, P.S.-
MADHEPUR, DIST- MADHUBANI

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. SUNDAR DEVI W/O - VISHNUDEV MUKHIYA VILLAGE- PACHAHI,
WARD NO. 14,P.S.- MADHEPUR,DIST- MADHUBANI

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhakar Thakur, Adv.
For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 14-05-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Madhepur P.S. Case No. 243 of 2023 dated 02.10.2023 registered for the offences punishable u/ss 376, 313 and 120B of the Indian Penal Code.

3. As per the prosecution case, the co-accused, Sunil Mukhiya trapped the minor daughter of the informant in his love and established physical relationship with her. When the victim became pregnant then the co-accused, Sunil Mukhiya said that he would marry her. On 06.06.2023, the co-accused, Sunil Mukhiya came under pressure from his parents and got married



at another place. Thereafter, the petitioner and the co-accused persons got the victim's seven months pregnancy aborted at Ramchandra Hospital and keeping the victim at their home.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There was love affair between the victim and the co-accused, Sunil Mukhiya. The petitioner is made accused in this case only because he is the father of the co-accused, Sunil Mukhiya. It is further alleged that the petitioner has no concern with the alleged offence. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 24.12.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Madhubani in connection with Madhepur P.S. Case No. 243 of 2023 with the condition :-

(i) The petitioner is directed to remain physically present before the learned



Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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