

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52199 of 2024**

Arising Out of PS. Case No.-195 Year-2020 Thana- GOVINDGANJ District- East
Champaran

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1. Bhulan Mukhiya Son of Late Suraj Mukhiya
2. Hira Devi Wife of Bhulan Mukhiya
3. Chandeshwar Mukhiya Son of Bhulan Mukhiya
4. Sikandar Mukhiya Son of Bhulan Mukhiya
5. Sita Devi Wife of Chandeshwar Mukhiya
All are R/O Vill.- Kohabarwa, P.S.- Govindganj, Dist.- East Champaran.
... .. Petitioners

Versus

The State Of Bihar
... .. Opposite Party

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Appearance :
For the Petitioner/s : Mr. Sanjay Kumar Tiwari, Advocate
For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 27-09-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners in the present case are seeking pre-arrest
bail in connection with Govindganj P.S. Case No.195 of 2020
registered for the offences punishable under Section 304(B0/34 of the
Indian Penal Code. They have no criminal antecedent.

3. As per the prosecution story, the written application of
one Yadolal Mukhiya (informant) addressed to the SHO, Govindganj
Police Station that on 11.06.2020 at about 10:00 O'clock in the day,
he received an information that his daughter has been murdered by
her in-laws and neighbours. He further alleged that the in-laws of his
daughter demanded dowry of Rs.5,00,000/- (Rupees Five Lakh). It is



further alleged that the in-laws of the deceased used to threaten her that if the demand of dowry is not fulfilled, she would be killed. Due to poverty, the informant was unable to fulfill the demand of dowry. For this reason, the petitioners committed murder of the daughter of the informant and hanged her. The informant further claimed that the occurrence has been seen by several people who will tell about the occurrence when time will come.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is submitted that the informant of the case has stated in this case that his daughter was suffering from mental illness since before the marriage and because of that illness, she used to flee away from home and in past also she had tried to end herself. It is also submitted that the informant had lodged the case under the pressure from the villagers.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the submissions that in this case, the husband of the deceased faced the trial and has been acquitted by the trial court and that the informant of the case has stated in this case that his daughter was suffering from mental illness since before the marriage and because of that illness, she used to flee away from home and in past also she had tried to end herself and further, he has stated that he had lodged the case under the pressure from the



villagers and despite lapse of over four years, the petitioners have not been charge-sheeted in connection with this case, the petitioners have no criminal antecedent, this Court directs that in case of their arrest or surrender within a period of four weeks from today, the petitioners above named be released on bail in connection with Govindganj P.S. Case No. 195 of 2020 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Arrah, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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