

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70775 of 2023

Arising Out of PS. Case No.-145 Year-2023 Thana- LAKHNAUR District- Madhubani

1. ASHOK MUKHIYA son of Raje Mukhiya @ Rajesh Mukhiya Village- Behat Ps- Lakhnaur RS-OP, Dist- Madhubani
2. Ramchandra Mukhiya son of Late Ram Lakhan Mukhiya @ Dono Mukhiya @ Late Dono Mukhiya @ Late Dole Mukhiya Village- Behat Ps- Lakhnaur RS-OP, Dist- Madhubani
3. Fuchar Mukhiya son of Late Faudaar Mukhiya Village- Behat Ps- Lakhnaur RS-OP, Dist- Madhubani
4. Nunu Mukhiya son of Late Tilhori Mukhiya Village- Narayanpur Kathwar Ps- Saktpur Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 07-02-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for bail in a case registered for the offence punishable under Sections 302, 201 and 34 of the Indian Penal Code.

3. As per allegation in the FIR, all the named accused persons including these petitioners have killed the informant's sister and disposed of her dead body in anywhere.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have



committed no offence. They have been falsely implicated in this case on account of matrimonial dispute and dirty village politics. The informant is not an eye witness of the alleged occurrence. Only suspicion has been raised by the informant against the petitioners as well as other accused persons. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The petitioners are relative of the husband of the deceased due to which their names have been dragged in this case. Husband of the deceased has already in judicial custody. During investigation, no consistent material has come to show the complicity of the petitioners in the alleged occurrence. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent. It is further submitted that petitioners have voluntarily surrendered on 28.07.2023 and since then they are languishing in judicial custody.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to



be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Jhanjharpur, District-Madhubani in connection with Lakhnaur (R.S. O.P.) P.S. Case No.145 of 2023.

(Sunil Kumar Panwar, J)

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