

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23328 of 2025

Arising Out of PS. Case No.-330 Year-2024 Thana- JOGAPATTI District- West Champaran

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Bhudeo Mukhiya @ Budheo Mukhiya Son of Late Udashi Mukhiya Resident
of Village- Bada Chaumukha, P.S.- Yogapatti, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Gupta, Advocate
For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 29-07-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Yogapatti P.S. Case No. 330 of 2024 instituted for the offences
under Sections 103, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that the petitioner
along with other co-accused person poisoned husband of the
informant due to which he died and later on, the accused
persons threatened the informant that they will kill her too.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.



Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. There is no eye-witness to the occurrence. It is further submitted that no any independent witness has supported the case of the prosecution. Learned counsel further submitted that cause of death has not been ascertained as per the post-mortem report. It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.11.2024 and has no criminal antecedent. The co-accused person has already been granted bail by this Court vide order dated 10.07.2025 passed in Cr. Misc. No. 20363 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Yogapatti P.S. Case



No. 330 of 2024.

(Rudra Prakash Mishra, J)

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