

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62028 of 2025

Arising Out of PS. Case No.-59 Year-2025 Thana- GOVINDGANJ District- East Champaran

Kashi Mukhiya Son of Late Budhan Mukhiya Resident of village -
Govindganj, Rai Hatta, P.S.- Govindganj, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anshul, Sr. Advocate Ms. Ginni Priya, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-09-2025 Heard learned senior counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Govindganj P.S. Case No. 59 of 2025, registered for the offences under Sections 103(1), 3(5) of the B.N.S.

3. As per the prosecution case, the sister of the informant died in her matrimonial home and allegation against the petitioner who is father-in-law of the deceased is that he along with other family members including his son killed the sister of the informant due to illicit relationship of the husband of the deceased with some lady.

4. Learned senior counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been



falsely implicated in this case. The petitioner is father-in-law of the deceased and he has been living separately with the deceased and her husband. From the FIR it is apparent that the husband of the deceased informed the informant about death of his sister. Learned senior counsel further submits that the death occurred after eight years of marriage and the prosecution story is not believable that for illicit relationship of their son, the father would help in committing murder of their son's wife. Learned senior counsel further submits that though post mortem report shows cause of death as asphyxia due to smothering but the same implicates the husband rather the petitioner. The husband is already in custody. The petitioner is in custody since 14.03.2025 and he is an old man aged about 60 years. Charge sheet has been submitted. The petitioner has no criminal antecedent.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner. Learned A.P.P. submits that there is specific allegation against the petitioner and other co-accused persons for causing death of the sister of the informant by smothering.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the fact that petitioner is father-in-law of the deceased and the allegation is general and omnibus in nature and further considering the



submission of charge sheet against the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., East Champaran at Motihari/concerned court, in connection with Govindganj P.S. Case No. 59 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Anuradha/-

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

