

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70651 of 2025

Arising Out of PS. Case No.-49 Year-2025 Thana- BITHAN District- Samastipur

Manohar Mukhiya S/o- Dukhillal Mukhiya R/o- Sughrain Ps-
Kusheshwarsthan Dist- Darbhanga

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Adv.
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Bithan P.S. Case No. 49 of 2025, registered for the offences under Sections 80, 238, 3(5) of the Bharatiya Nyaya Sanhita.

3. As per the prosecution case, the informant alleged that her daughter died in her matrimonial home and this petitioner who is the elder brother-in-law of the informant gave her information about death of her daughter. Further allegation is that the co-accused in-laws of the daughter of the informant used to demand dowry and on non-fulfillment of the same used to assault daughter of the informant. This petitioner assured the informant that dead body of her daughter would be brought by the other co-



accused persons and the informant further alleged that this petitioner was hand in glove with the other co-accused persons who killed the daughter of the informant and made her dead body disappear.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has been falsely implicated in this case. From bare perusal of the written report it is apparent that there is no allegation against the petitioner for being involved in the killing of the daughter of the informant. The petitioner is the elder brother-in-law of the informant and he just passed the information about the death of the daughter of the informant. There was no reason or occasion for the petitioner being involved in the alleged occurrence. The informant has informed the petitioner with ulterior motive. The petitioner has no criminal antecedent and is in custody since 27.05.2025. The charge-sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the completely vague nature of allegation against the petitioner and also considering absence of any specific allegation of committing any of the offences as alleged in the FIR and further considering



the clean antecedent, period of custody, submission of charge-sheet, 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 Chief Judicial Magistrate, Samastipur in connection with Bithan P.S. Case No. 49 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)

Siddharth Soni/-

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