

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10862 of 2026

Arising Out of PS. Case No.-239 Year-2025 Thana- GOVINDGANJ District- East
Champaran

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1. Loha Mukhiya S/O Jhabar Mukhiya R/O Vill.- Kohbarwa, P.s.- Govindganj, District- East Champaran, Motihari.
 2. Tuna Mukhiya @ Tun Kumar Mukhiya S/O Jhabar Mukhiya R/O Vill.- Kohbarwa, P.s.- Govindganj, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 01-04-2026 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 103(1), 238(a) and 3(5) of the BNS in connection with Gobindganj P.S.Case No. 239 of 2025.

3. As per prosecution case, the informant being distressed and alarmed about disappearance of his brother, started searching for him, but failed to trace him out. After a few days, he heard that a body was hanging from a tree in Kohbarwa Saw's courtyard. He identified the body of his brother. It is alleged that it was the handiwork of the petitioners and other



accused persons, who orchestrated the killing of the brother of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case due to village politics. The petitioner was not present at the time of occurrence and during the course of investigation, the police have not found any material against the petitioners.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. From perusal of the record, it appears that the allegation against the petitioners is that they along with other co-accused persons committed the murder of the deceased. The witnesses examined during the course of investigation have corroborated the case of the prosecution, as it appears from the impugned order. It further appears from the case diary that other accused person Bira Mukhiya admitted that he along with the petitioners has committed the murder of the deceased and took the dead-body of the deceased to the sugarcane field behind their house and hung it from the *Jamun* tree in the Khobarwa Sav Jirat and poured chemical over the dead-body and distorted the face and body of the deceased.



7. Considering the seriousness of the allegation against the petitioners, I am not inclined to grant the privilege of anticipatory bail to the petitioners and hence it is rejected.

(Alok Kumar Sinha, J)

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