

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17592 of 2026

Arising Out of PS. Case No.-211 Year-2025 Thana- MADHEPUR District- Madhubani

Manoj Kumar Mukhiya @ Manoj Mukhiya S/o- Gaguni Mukhiya Resident of
Village-Khajura, PO- Banki, P.S. Madhepur, Dist-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Keshav Kumar Jha

Mr.Rahul Kumar

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 16-06-2026 1. Heard learned counsel for the petitioner Mr. Rahul Kumar and learned APP for the State Mr. Chandra Sen Prasad Singh.
2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 108 and 3(5) of the B.N.S.
3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that his daughter was married to petitioner about eight years ago and out of the wedlock, three children were born. It is further alleged that the victim was often tortured mentally and on account of torture, the victim consumed poison and died.



4. The learned counsel for the petitioner submits that petitioner, being husband, has been falsely implicated in the instant case by the informant. It is further submitted that the date of occurrence is 05.10.2025 and the FIR came to be instituted on 21.11.2025. It is also submitted that petitioner being husband came to be implicated for ulterior reason. It is next submitted that had the petitioner been involved in the occurrence, in that event, efforts would have been made to dispose of the dead body with an intent to conceal the evidence, but then, the dead body was sent for post mortem and the doctor opined the cause of death on account of poisoning. It is submitted that from perusal of the allegation as alleged in the FIR, it would also manifest that informant does not allege that any dowry was being demanded rather alleges that the victim was tortured mentally, but then, does not disclose that how and why the victim was being tortured. It is further submitted that in every relationship some dispute arises and the victim out of anger and haste and in absence of the petitioner consumed poison. It is also submitted that the marriage in between the petitioner and the victim continued for more than seven years and in these seven years, no case ever came to be instituted either by the informant or the victim alleging torture. At times normal wear



and tear of life also leads to such an occurrence. It is further submitted that if privilege of anticipatory bail is granted, the petitioner will not abscond rather will cooperate in the investigation to prove his innocence. It is reiterated and submitted that the FIR has been instituted after 46 days of the occurrence. It is thus submitted that had the petitioner been involved in the occurrence, in that event, the informant would have instituted the FIR promptly, but then, the same was not done.

5. Learned A.P.P. opposes the anticipatory bail application, but then is not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that the FIR was instituted after 46 days of the occurrence and no effort was made by the petitioner to dispose of the dead body with an intent to conceal evidence rather the dead body was sent for post mortem and the marriage of the petitioner with the victim was more than seven years old and out of the wedlock, three children were born.

6. After considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on



bail on his furnishing bail-bonds in the sum of Rs. 10,000/-
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the learned Trial Court where the case
is pending/successor Court in connection with Madhepur P. S.
Case No. 211 of 2025, subject to the conditions laid down under
Section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Satyavrat Verma, J)

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