IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41879 of 2026

CNR No. BRHC010555662026

Arising Out of PS. Case No.-118 Year-2025 Thana- GHANSHYAMPUR District- Darbhanga

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Anil Kumar Mukhiya @ Anil Mukhiya S/O Bhaglu Mukhiya R/o Village - Kanhai Biraul, P.S - Ghanshyampur, District - Darbhanga, Bihar

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

7 27-10-2026 Heard learned counsel for the petitioner and learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Ghanshyampur P.S. Case No. 118 of 2025 instituted for the offence under Sections 80 & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in brief, is that the informant alleged that his daughter was subjected to assault and cruelty by the petitioner and other in-laws for non-fulfilment of their demand for gold worth ₹1 lakh and cash of ₹2 lakh, despite a Panchayati having been held. It is further alleged that the informant subsequently learnt that his daughter had been killed,

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and her dead body was found lying beneath a bed in a room.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 26.03.2026. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is the husband of the deceased. Learned counsel for the petitioner primarily takes the plea of *alibi*, contending that the petitioner was not present at the place of occurrence at the relevant time. From perusal of the FIR, it would reveal that there is no specific allegation against the petitioner, rather the same is against other co-accused person, namely, Mahendra Mukhiya. Postmortem report suggests the cause of death due to asphyxia as a result of hanging. Charge sheet has already been submitted in this case under Sections 80(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023. It is lastly submitted that charge in this case is framed.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet

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being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Ghanshyampur P.S. Case No. 118 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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