IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46637 of 2026

CNR No. BRHC010664712026

Arising Out of PS. Case No.-95 Year-2026 Thana- MADHEPUR District- Madhubani

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Ajay Mukhiya @ Ajay Kumar Mukhiya S/o Suraj Mukhiya @ Surya Narayan Mukhiya Resident of village- Rahika Tol Bhith Bhagwanpur, P.S.- Madhepur, Distt.- Madhubani

... ... Petitioner/s

Versus

1. The State of Bihar.
2. Manoj Mukhiya S/o Rajendra Mukhiya R/o Village - Maricha, Ward No. 12, P.S and District - Supaul

... ... Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 48675 of 2026

CNR No. BRHC010664712026

Arising Out of PS. Case No.-95 Year-2026 Thana- MADHEPUR District- Madhubani

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1. Ram Bharos Mukhiya S/o Suraj Mukhiya @ Surya Narayan Mukhiya Resident of village- Rohika Tol Bhith Bhagwanpur, P.S.- Madhepur, Distt.- Madhubani
2. Suraj Mukhiya @ Surya Narayan Mukhiya S/o Jageshwar Mukhiya Resident of village- Rohika Tol Bhith Bhagwanpur, P.S.- Madhepur, Distt.- Madhubani
3. Pinki Devi W/o Suraj Mukhiya @ Surya Narayan Mukhiya Resident of village- Rohika Tol Bhith Bhagwanpur, P.S.- Madhepur, Distt.- Madhubani
4. Sunil Mukhiya S/o Suraj Mukhiya @ Surya Narayan Mukhiya Resident of village- Rohika Tol Bhith Bhagwanpur, P.S.- Madhepur, Distt.- Madhubani
5. Punam Devi @ Kalpana Devi W/o Sunil Mukhiya Resident of village- Rohika Tol Bhith Bhagwanpur, P.S.- Madhepur, Distt.- Madhubani

... ... Petitioner/s

Versus

1. The State of Bihar.
2. Manoj Mukhiya S/o Rajendra Mukhiya R/o vill - Mareecha, P.S.- Supaul, Distt.- Supaul

... ... Opposite Party/s

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Appearance :
(In CRIMINAL MISCELLANEOUS No. 46637 of 2026)

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For the Petitioner/s : Mr. Saroj Kumar Choudhary, Advocate
: Mr. Dewanand Tiwari, Advocate
For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP
(In CRIMINAL MISCELLANEOUS No. 48675 of 2026)
For the Petitioner/s : Mr. Saroj Kumar Choudhary, Advocate
: Mr. Dewanand Tiwari, Advocate
For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

5 20-11-2026 **Re: Criminal Misc. No. 46637 of 2026**

After some argument, on confronting the submissions advanced by learned Advocate for the State that the deceased died on account of administration of Celphos and the petitioner is none else but the husband and the unnatural death has taken place within a year of the marriage, the learned Advocate for the petitioner, seeks permission to withdraw the present application.

2. Permission is accorded.

3. The present application stands dismissed as withdrawn.

Re: Criminal Misc. No. 48675 of 2926

4. The petitioners are in-laws apprehending their arrest in connection with Madhepur P.S. Case No. 95 of 2026 for the offences punishable under Sections 80(2), 91 & 3(5) of the B.N.S.

5. The marriage of the informant's daughter was solemnized with co-accused Ajay Mukhiya on 30.04.2025. At the time of marriage, sufficient dowry articles were allegedly

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given to the accused persons. However, their demand for dowry allegedly continued unabated, and on account of non-fulfillment thereof, the informant's daughter was allegedly done to death by all the accused persons, including the petitioners, by throttling her neck.

6. Learned Advocate for the petitioners, at the outset, submits that, admittedly, the unfortunate death occurred within one year of the marriage; however, the prosecution case is rendered doubtful for the reason that neither the inquest report nor the post-mortem report indicates any external mark of violence, notwithstanding the prosecution's allegation that the deceased was strangulated to death. It is further submitted that, on the fateful day, following some family discord, the deceased appears to have consumed Celphos, whereupon her condition deteriorated. The petitioners themselves took her to the hospital, where she subsequently succumbed during the course of treatment. Since the cause of death could not initially be ascertained, the viscera was preserved and sent to the Forensic Science Laboratory for examination, and the report thereof indicates that the death occurred on account of consumption of Celphos. It is further contended that the petitioners are the in-laws of the deceased and have no concern with the day-to-day

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affairs of the matrimonial life of the deceased and her husband. Moreover, it is pointed out that the prayer for bail on behalf of the husband has already been withdrawn.

7. On the other hand, learned Advocate for the State vehemently opposes the bail application and submits that the unnatural death has taken place within one year of marriage and preceding her death there was a demand of dowry and torture, and as such dowry death cannot be ruled out.

8. Having considered the rival submissions advanced by learned Advocates for the respective parties and taking note of the fact that the petitioners are the in-laws of the deceased; that neither the inquest report nor the post-mortem report lends support to the allegation of assault and throttling; and that the petitioners have been residing separately and are not concerned with the day-to-day affairs of the matrimonial life of the deceased and her husband, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) **each** with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Jhanjharpur (Madhubani) in connection with A.B.P No. 441 of 2026 arising out of Madhepur

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P.S. Case No.95 of 2026, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

Utkarsh.k/-

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