

In the Court of Sessions Judge, Supaul

B.A.-218/2026

(Arising out of Raghopur P.S. Case No.56/2026)

	Rajesh Mukhiya, S/o- late Narayan Mukhiya, R/o- Ramvishanpur, Ward No.07, PS- Raghopur, District- Supaul;Accused/Petitioner Vs. State of BiharO.P.	
<u>28/04/26</u>	Ld. Counsel for petitioner Sri. Pawan Kumar Bharti, Advocate. Ld. APP Sri. Amar Kumar Das, for the State. By this order we are going to dispose off the bail application filed on behalf of the accused/ petitioner, namely Rajesh Mukhiya, who is in judicial custody since 08.03.2026 in connection with Raghopur PS Case No.:– 56/26, u/s- 103(1) of B.N.S. Ld. counsel for the accused/ petitioner argued that accused/ petitioner is quite innocent and has committed no crime and he has falsely been implicated in this case due to local politics and enmity. He further submitted that accused/ petitioner is also involved in one more case bearing Raghopur PS Case No.165/20. He further submitted that the offence as alleged in FIR is not applicable against the accused/ petitioner. It is also submitted that accused/ petitioner is in judicial custody since 08.03.2026 and no useful purpose would be served by keeping the accused/ petitioner behind the bar. Ld. PP for the State strongly opposed the prayer of bail application. In brief, the prosecution story is that on dated 14.02.2026, a written application was given by the informant namely Shyamwati Devi to the police of PS Raghopur, stating therein that the marriage of her daughter namely Kaushaliya Devi was solemnized with accused Sundar Mukhiya for about 10-12 years as per the Hindu Rites and Customs and the couple was also blessed by three children. The informant further alleged that since last few days, her daughter was tortured by her husband Sundar Mukhiya and other family members namely Rajesh Mukhiya, Paro Devi, Sahari Devi and Dilkhush Mukhiya. The informant further alleged that on 13.02.2026 all the accused persons have caused death to her daughter Kaushaliya Devi and when she received this information on 14.02.2026 at about 01:00 P.M., then she reached at the matrimonial home of her daughter and thereafter she filed this FIR. Argument heard from both sides and perused the record as well as case diary. Admittedly, this accused/ petitioner is in judicial custody since 08.03.2026. On going through the case diary, it transpires that the police also recorded the statement of witnesses namely Shankar Kumar, Chandan Kumar, Fulo Devi and Sita Devi. The police also recorded the statement of witness namely Palat Mukhiya and this witness has specifically stated to the police that when he reached at the matrimonial house of the	Contd.

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deceased then he found the dead body was lying there and the entire family members were ran away from the house and there was the strangulation mark on the neck of the deceased and also injury mark on her face. As per the postmortem report, the doctor has found ligature mark present on neck and throat, U shape started from below the right ear and angle of side of mandible to throat and goes upto below angle of mandible of left side and left ear. The width of about 1.5 cm, the colour of ligature mark is brownish black. Bruise on right side of face 1x 1cm near to nose and bruise on chin 1x 1cm and the doctor has preserved the viscera and sent to FSL for chemical examination and not given any opinion regarding the cause of death of the deceased. On minute scrutiny of the entire case diary as well as contents of the *Fardbyan*, it is apparently clear that though the marriage of the deceased was solemnized for about 10-12 years ago and also there is no any demand of dowry from the parents of the deceased, but there is ligature mark present on the neck of the deceased and U shape started from below the right ear and angle of side of mandible to throat and goes upto below angle of mandible of left side and left ear. Though the doctor has not given any concrete opinion regarding the cause of death, but a married women died in unnatural circumstances at her matrimonial home. The husband of the deceased was still absconding. When the court asked the question from the I.O, then the I.O has specifically stated that the minor children of the deceased was still taken away by the accused persons and they are also not traceable. The allegation against the accused/ petitioner is very serious in nature. The investigation of this case is in primary stage and tempering of the prosecution evidence by the accused/ petitioner is also cannot be ruled out.

Hence, taking into consideration the seriousness of the allegation, I find that accused/ petitioner is not entitled to be enlarged on bail at this stage. Therefore, the bail application, filed on behalf of accused/ petitioner, namely Rajesh Mukhiya stands, **Rejected.**

Dictated
-Sd-
(Anant Singh)
Sessions Judge, Supaul