

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22569 of 2016

Arising Out of PS.Case No. -13 Year- 2016 Thana -PARAIYA District- GAYA

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1. Mithlesh Prasad @ Mithlesh Kumar Son of Ratu Mahto, Resident of
village- Pandit Bigha Paranpur, P.S- Paraiya, District-Gaya.... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar

For the Opposite Party/s : Mr. Gajendra Pd.Yadav(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 25-05-2016 Heard learned counsel for the petitioner and learned APP
for the Sate.

The petitioner seeks bail in connection with Paraiya
P.S. Case No. 13 of 2016 registered for the offences punishable
under Sections 304B, 201/34 of the Indian Penal Code.

Basanti Kumari, the daughter of the informant, was
married to Dhananjay Prasad two years ago and out of the
wedlock there is a daughter six months old. Allegedly, due to non-
fulfillment of dowry by way of cash of Rs. 50,000/- she was being
tortured and ultimately she was done to death and her dead body
was also made traceless.

Submission is of false implication and that the
petitioner is co-villager of the husband of the deceased, he is not
the family member, similarly situated co-accused Uday Prasad and
Chhotu Yadav have been allowed pre-arrest bail vide Cr. Misc.

No. 18773 of 2016 and as such the petitioner who is suffering in custody since 25.01.2016 deserves sympathetic consideration as against the petitioner there is no specific allegation to which learned APP fairly submits that two co-accused have been allowed pre-arrest bail.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Santosh Kumar Dubey, J. M. Ist Class, Gaya in connection with Paraiya P.S. Case No. 13 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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