

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17238 of 2017

Arising Out of PS.Case No. -28 Year- 2014 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

=====

Mukesh Rai @ Mukesh Patel S/o Ashok Rai Resident of Village -
Chouriya, P.S. - Mehsi, District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anshuman Singh, Advocate
Mr. Rakesh Kumar, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-05-2017 This is an application for grant of bail for offences punishable under Sections 498A, 323, 324, 326 and 304B/34 of the Indian Penal Code and Section s 3 / 4 of the Dowry Prohibition Act.

Allegation against the petitioner is that he along with other in-laws has killed the deceased, who is wife of the petitioner, due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that there is specific allegation of assault against co-accused Lavkus Kumar to have killed the deceased. Petitioner was not present in the village at the time of occurrence. He is in custody since 14.11.2016. He has been made accused in this case on the basis of confessional statement of other co-accused.

Heard learned A.P.P. also. He could not controvert the submission of the petitioner that petitioner was not present at the time of occurrence.

Having heard both sides, in view of the facts



aforesaid, let above named petitioner be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty-five thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.,-VI, Motihari at East Champaran, in connection with Mehshi P.S. Case no. 28 of 2014 with the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the court concerned.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

Accordingly, this application is allowed.

(Vinod Kumar Sinha, J)

sudip/-

U		T	
---	--	---	--

