

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26510 of 2018

Arising Out of PS.Case No. -194 Year- 2016 Thana -PALIGANJ District- PATNA

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Mithilesh Shah @ Mithilesh Saw Son of Late Manu Saw resident of village
Purani Saraiya, P.S. - Paliganj, District - Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Iqbal Asif Niazi

For the Opposite Party/s : Mr. Md. Ashlam Ansari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 14-09-2018

Heard learned counsel for the petitioner.

Petitioner prays for bail in connection with Paliganj
P.S.Case No. 194 of 2016, corresponding to Sessions Trial No.
445 of 2017, registered for the offence punishable under Sections
304B/34 of the Indian Penal Code.

Allegation against the petitioner, who happens to be
husband of the deceased, is of committing dowry death.

Learned counsel for the petitioner has submitted that
material collected during course of investigation clearly shows
that petitioner has taken her for treatment to Paliganj hospital and
thereafter she was referred to PMCH and thereafter she died.
Further submission is that post mortem report does not show any
external or internal injury on the person of deceased and viscera



examination report shows no metallic, Alkaloidal, Glycosidal, Pesticidal or Volatile poison could be detected in the dark brown fluid and petitioner is in custody since 19.12.2016 and there is no substantive progress in trial.

Heard learned APP also.

Having heard both sides and in the facts and circumstances, as stated above, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional District Judge-II, Danapur, in connection with Sessions Trial No. 445 of 2017, arising out of Paliganj P.S.Case No. 194 of 2016, subject to the condition that one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned.

(Vinod Kumar Sinha, J)

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