

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38924 of 2018

Arising Out of PS.Case No. -161 Year- 2017 Thana -HARLAKHI District- MADHUBANI

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Mithilesh Pandey @ Mithilesh Kumar Pandey Son of Late Shyma Kishore
Pandey Resident of Village - Soth Gauw, P.S. Harlakh, District Madhubani.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 25-09-2018

Heard learned counsel for the petitioner.

Petitioner prays for bail in connection with Harlakh
P.S.Case No. 161 of 2017 registered for the offences punishable
under Sections 304B and 34 of the Indian Penal Code.

Allegation against the petitioner, who happens to be
husband of the deceased, is of causing death of his wife due to
demand of dowry.

Submission of learned counsel for the petitioner is that
FIR itself shows that petitioner was at Delhi at the time of
occurrence and he informed the informant regarding her illness
and moreover he is in custody for about five months.

Heard learned APP also, who has opposed the prayer for
bail stating that death occurrence within 3-4 months of marriage



and death caused due to asphyxia.

Having heard both sides and in the facts and circumstances, and considering the fact that petitioner was not present at the time of occurrence, 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 Sub-Divisional Judicial Magistrate, Benipatti in the district of Madhubani, in connection with Harlakhi P.S.Case No. 161 of 2017, subject to the condition that one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of court concerned.

(Vinod Kumar Sinha, J)

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