

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67621 of 2019

Arising Out of PS. Case No.-93 Year-2019 Thana- MADHAURAH District- Saran

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MITHILESH PRASAD Son of Late Sukhdeo Prasad @ Sukra Dev Singh
Resident of Village-Pakaha, P.S.-Marhowrah, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for regular bail arises out of **Marhowrah**
P.S. Case No. 93 of 2019 (Sessions Trial No. 404 of 2019),
disclosing the offences under Sections 302/34 of the Indian Penal
Code.

The petitioner is husband of the deceased.

Mother of the deceased is the informant who has alleged
that the deceased was married to the petitioner in the year 2011, and
since very beginning, dowry demand was being made by the in-laws
of the deceased and she was constantly tortured. She died on
22.02.2019.

It is evident on reading of the First Information Report
that belief of the informant that in-laws of the deceased must have



killed her, is the only basis for implication of the petitioner and his family members.

Learned counsel appearing on behalf of the petitioner has submitted that Cardiac Respiratory failure due to strangulation has been found to be the cause of death of the deceased by the Doctor.

The petitioner is in custody since 07.03.2019.

Considering the nature of allegation in the First Information Report which is based on suspicion of the informant, in my opinion, case for grant of regular bail is made out, if the petitioner has remained in custody for more than six months. This application is allowed. Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand), with two sureties of the like amount each to the satisfaction of **learned 4th** Additional Sessions Judge, Saran at Chapra, in connection with **Marhowrah P.S. Case No. 93 of 2019 (Sessions Trial No. 404 of 2019)**, subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail Bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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