

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11007 of 2020

Arising Out of PS. Case No.-14 Year-2019 Thana- BARURAJ District- Muzaffarpur

Mukesh Kumar Sah Son of Suresh Sah, resident of village-Naya Tola Thikha,
P.S.-Baruraj, District – Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 23-06-2020 Heard learned counsel for the petitioner and learned
counsel for the State, Mr. Mohammad Arif through Video
Conferencing.

In this case, the petitioner is seeking regular bail in
connection with Baruraj P.S. Case No. 14 of 2019 registered for
offence punishable under sections 304(B) and 120(B)/34 of the
Indian Penal Code.

In the present case, allegation has been made against
the petitioner to have killed his wife on account of non-
fulfillment of demand. There is specific allegation that the
victim lady has died on account of poison.

This Court has called for the case diary of Baruraj P.S.
Case No.14 2019, including the viscera report. The viscera
report states, which is as follows:-



“No. Metallic, Alkaloidal, Glycosidal, Pesticidal and volatile Poison could be detected in the contents of glass jar as described above.”

Learned counsel for the petitioner submits that the record itself shows that the victim lady has not died on account of poison, but the learned counsel submits that there is specific allegation of demanding dowry by the present petitioner and his family members.

Looking to the facts and circumstance of the case, the petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st Class, Muzaffarpur in connection with Baruraj P.S. Case No. 14 of 2019, subject to the condition that one of the bailors of the petitioner shall be a close relative. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Shivaji Pandey, J)

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