

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86712 of 2019

Arising Out of PS. Case No.-63 Year-2016 Thana- ARER District- Madhubani

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MUKESH KUMAR JHA @ MUKESH JHA @ AASHIS JHA Son of Harshit
Jha Resident of Village - Depura, P.S.- Benipatti, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anjani Kumar Jha

For the Opposite Party/s : Mr.Nitya Nand Tiwary

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 18-01-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Arer
P.S. Case No. 63 of 2016, registered under Section 306 of the
Indian Penal Code and Section 3/4 of the Dowry Prohibition
Act.

The accusation is that the marriage of Archana
Devi, sister of informant Ashish Kumar Jha, was performed
with the petitioner Mukesh Jha on 27.04.2016 and in
Duragman, she went at her matrimonial house from where she
was taken by the petitioner at his working place at Kanpur, but
she was being tortured for demand of two wheeler, ornaments,
furniture etc. and she was forced to talk about the same to her
parents. On 16.07.2016, brother of informant, went to



matrimonial house of his sister for Bidagari on the occasion of Panchami Puja, but brother and sister of informant was insulted by them and demand of dowry was also made. Finding no option, brother of informant proceeded from there with his sister giving assurance to fulfill the demand. Thereafter, brother and sister of informant came to his house. On 23.07.2016, sister of informant made request to her husband to come in Puja, but he abused and threatened her and he did not come. The in-laws of sister of informant used to torture his sister on mobile. Later on, his sister committed suicide by drowning herself in a pond on 24.07.2016.

Learned counsel for the petitioner submits that on the basis of the fardbeyan of informant, Arer P.S. Case No. 63 of 2016 was instituted on 24.07.2016 for offence punishable under Section 306 of the Indian Penal Code, later on, Section 304(B) of the I.P.C. added at the time of submission of Chargesheet. Further submission is that, admittedly, at the time of occurrence, the deceased, wife of petitioner, was at her Myaka. Further submission is that, in fact, at the time of occurrence, the deceased had gone to pluck flowers for Puja, where she slipped in the pond and died, but with ulterior motive, the present case has been lodged with false allegation.



Further submission is that petitioner is in custody since 23.11.2019.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Madhubani in connection with Arer P.S. Case No. 63 of 2016.

(Rajendra Kumar Mishra, J)

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