

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 30700 of 2021

Arising Out of PS. Case No.-173 Year-2019 Thana- DALSINGHSARAI District- Samastipur

MITHILESH RAY Son of Late Sahdeo Ray Resident of Village- Ashinchak,
P.S.- Dalsingsarai, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy

For the Opposite Party/s : Ms. Meena Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 18-08-2021 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Ms. Anita Kumari Singh, the learned APP for the State.

The present petition is by way of second attempt at the behest of the petitioner for grant of bail in connection with



Dalsinghsarai PS case no. 173 of 2019 under Section 304 (B)/34 of Indian Penal Code, inasmuch as the earlier prayer of the petitioner for grant of regular bail was rejected by this Court vide order dated 03.09.2020, passed in Cr. Misc. no. 21271 of 2020.

The allegation is regarding the petitioner herein, who is the husband of the deceased victim lady, having killed his wife i.e. the daughter of the informant in conspiracy with other accused persons on account of non-fulfilment of the demand for dowry and thereafter, having thrown the dead body in a pond.

The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since 03.07.2019 and there is no progress in the trial, hence the petitioner be granted the privilege of bail.

Per contra, the learned A.P.P. for the State Ms. Meena Singh has vehemently opposed the prayer for bail.

I have heard the learned counsel for the parties and perused the materials available on record, from which it is apparent that the petitioner is alleged to have committed a heinous crime of having killed his wife and moreover, there is no change in circumstance from the day, the prayer of the



petitioner for grant of bail was rejected earlier vide order dated 03.09.2020, till date, hence there is no occasion to re-consider the prayer of the petitioner for grant of bail, thus the present petition stands dismissed.

(Mohit Kumar Shah, J)

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