

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43963 of 2023

Arising Out of PS. Case No.-38 Year-2022 Thana- MARAUNA District- Supaul

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RAMESH MUKHIYA @ RAMESH KUMAR MUKHIYA son of Dukhan
Mukhiya Village- Bhaluwahi Ps- Marauna Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

- 2 31-07-2023
1. Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.
 2. Heard learned counsel for the petitioner and learned A.P.P. for the State.
 3. The petitioner has preferred this application for grant of regular bail in connection with S.Tr. No. 535 of 2022 arising out of Marauna P.S. Case No. 38 of 2022 dated 06.03.2022 registered for the offences punishable u/ss 302 and 304B read with section 34 of the Indian Penal Code.
 4. As per the prosecution case, the petitioner along with other accused persons is alleged to have committed murder of the daughter of the informant due to non-fulfillment of



demand of motorcycle and buffalo as dowry.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. No incriminating material has been recovered from the conscious possession of the petitioner. The co-accused persons have already been granted bail by the Coordinate Bench of this Court vide order dated 16.01.2023 passed in Cr. Misc. No. 41327 of 2022. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 16.09.2022.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner who is the husband of the deceased.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Supaul in connection with S.Tr. No. 535 of 2022 arising out of Marauna P.S. Case No. 38 of 2022, with the condition:-



(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Alok Verma/-

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