

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56900 of 2022

Arising Out of PS. Case No.-132 Year-2020 Thana- KISHUNPUR District- Supaul

Mithilesh Ray @ Mithilesh Kumar Ray Hari Kant Ray Resident Of Village-
Bauraha Tola Sonebarsha, Ward No.- 03, Police Station- Kishanpur, District-
Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 14-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for
grant of regular bail in connection with Kishanpur P.S. Case No.
132 of 2020 registered under sections 302 and 201 of the Indian
Penal Code.

Allegation against the petitioner who is the husband
of the deceased and others family members is that they
committed murder of the informant's sister due to non
fulfillment of dowry demand of Rs. 2 lakh and also they have
disposed off the body of the deceased in the river.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The



petitioner is the husband of the deceased due to which he has falsely been implicated in this case. It is further submitted that there is no prior complaint in respect of ill treatment, misbehave, dowry demand with the deceased against the petitioner. In fact, the marriage took place 15 years ago and the deceased was not blessed with child and the petitioner get treated her at various places and not solemnized another marriage rather he tried his best to cure her but in the long time of treatment, she became seriously ill and lastly died due to natural death. It is also submitted that there is no eyewitness of the alleged occurrence. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. He is languishing in judicial custody since 01.06.2020. From perusal of the progress report submitted by the trial Court, no witnesses have been examined till submission of this progress report.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the progress report of the trial Court, the Court is inclined to enlarge the petitioner on bail. The above named



petitioner is directed to be enlarged on bail in connection with Kishanpur P.S. Case No. 132 of 2020 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 Additional District & Sessions Judge-I-Cum-Special Judge, Supaul.

(Sunil Kumar Panwar, J)

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