

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68296 of 2022

Arising Out of PS. Case No.-652 Year-2022 Thana- MADHEPURA District- Madhepura

MITHILESH RAM @ MITTHU RAM S/o Jagat Narayan Ram R/o Village-
Belhaghat, Ward no. 1, P.S.- Madhepura, Distt- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Adv.

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 01-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 328, 304(B), 302,
34 of the Indian Penal Code.

Petitioner, who is husband of informant's daughter, is said
to have killed her in association of his family members over the
dowry demand of Rs. 2,00,000/-.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. No
such occurrence as alleged ever took place. He has been falsely
implicated in this case due to misunderstanding. The allegation
levelled against the petitioner is not specific rather general and
omnibus in nature. It is further submitted that the informant's



daughter was died due to her illness during course of treatment. He further submits that the informant has filed a compromise petition before the learned Court below, which is also evident from the certified copy thereof. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegation levelled against the petitioner is serious in nature, as her death was caused by consuming of Aluminium Phosphide which is a severe gastro intestinal irritant.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below shall pass order in accordance with law without being prejudiced by this order on the very date of surrender.

(Anjani Kumar Sharan, J)

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