

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71876 of 2022

Arising Out of PS. Case No.-355 Year-2022 Thana- PHULWARISHARIF District- Patna

1. MITHLESH RAY @ MUKESH KUMAR @ MITHLESH KUMAR Son of Late Krit Ray Resident of Village - Aalampur, Police Station - Phulwari Sharif, District - Patna.
2. Kiran Devi @ Punam Devi Wife of Mithlesh Ray @ Mukesh Kumar Resident of Village - Aalampur, Police Station - Phulwari Sharif, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Rajesh Ranjan, Adv.
For the Opposite Party/s :	Mr.Awadhesh Kumar Singh, APP.
	Mr. Binay Kumar Singh, Adv.
	Ms. Remy Kumari, Adv.
	Mr. Jitendra Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-04-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 304(B), 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act, 1961.

Allegedly, petitioners, along with other accused persons, are said to have committed murder of the informant's daughter.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence.



No such occurrence as alleged ever took place. Petitioner no.1 is uncle of the husband of the deceased whereas the petitioner no.2 is aunt of her husband. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is general allegation of demanding of Rs. 5 lacs and one Katha of land situated at Daudpur as dowry. The petitioners have been residing separately from the family of the deceased and they have no concern with the family affairs of the deceased and her husband. The husband of the deceased has been in judicial custody since 19.04.2022. He relies upon the order dated 15.12.2021 passed in Cr. Misc. No. 1118 of 2021 of a co-ordinate bench of this Court. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail and submitted that the process under Sections 82 & 83 have already been completed during the pendency of this application.

Having regard to the facts and circumstances of the case, as the process u/s 82 & 83 have been completed during the pendency of this application, let the above named petitioners, be released on bail, in the event of their arrest or surrender before



the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Phulwari Sharif P.S. Case No. 355 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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