

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71977 of 2022**

Arising Out of PS. Case No.-122 Year-2021 Thana- MAKHDUMPUR District- Jehanabad

Mahesh Kumar Yadav @ Mahesh Yadav S/O Indradeo Yadav R/O Village-
Saren, P.S- Makhdumpur Tehta, District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Pravesh Nath Tiwari, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

7 19-06-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

The petitioner seeks bail in connection with
Makhdumpur (Tehta O.P.) P.S. Case No. 122 of 2021 registered
for the offence under Sections 304-B, 201 and 120-B of the
Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 08.07.2021.

The allegation against the petitioner is to cause death
of daughter of the informant alongwith family members/co-



accused persons due to non-fulfillment of demand of dowry as raised for cash of Rs. 50,000/- (Rupees Fifty Thousand), one motor-cycle and a golden chain.

Learned counsel appearing on behalf of the petitioner submitted that petitioner implicated falsely in this case. It is submitted that no ever alleged dowry demand was raised by this petitioner and the demand of dowry just raised to aggravate the allegation, where in fact wife of petitioner committed suicide out of normal matrimonial discord when she was objected to talk over mobile phone with some unknown persons. It is submitted that this fact gets its strength from the statement of witness as recorded in paragraph no. 54 of the case diary. It is submitted that the cause of death is yet to ascertain as per post-mortem report. While concluding the argument, it is pointed out that petitioner is in custody since 08.07.2021 and since then only one charge-sheeted witness examined in this case and, as such, it can be safely said that trial is not likely to conclude in near future.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as per post-mortem report cause of death is yet to ascertain coupled with the fact that petitioner is in custody since



08.07.2021, accordingly, the petitioner, above named, is directed to be released on bail in connection with Makhdumpur (Tehta O.P.) P.S. Case No. 122 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of Additional Sessions Judge-I, Jehanabad/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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