

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16980 of 2024

Arising Out of PS. Case No.-99 Year-2023 Thana- SIKARHATTA District- Bhojpur

Pratosh Mishra @ Pratosh Mishir Son of Mr. Lalu Mishra @ Lalu Misir @
Shri Krishn Mishra R/o Village- Nauwa, P.S.- Sikrahta, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.

Mrs. Vaishnavi Singh, Adv.

Mr. Ritwik Thakur, Adv.

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

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

ORAL ORDER

3 30-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial No. 645 of 2023 arising out of Sikrahta P.S. Case No. 99 of 2023 dated 18.07.2023 registered for the offences punishable u/ss 304B, 201 and 120B of the Indian Penal Code in which chargesheet has been submitted u/ss 302, 120B, 201 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have killed the informant's niece due to non-fulfillment of demand of golden chain and a



bullet motorcycle as dowry. The dead body of the deceased was burnt by the accused persons under a conspiracy.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is the husband of the deceased and he has no concern with the alleged offence. The petitioner neither demanded any dowry nor tortured the informant's niece and the present case has been lodged after 10 years of marriage. It is further submitted that the petitioner has purchased 10 dhurs of land in the name of his wife through registered sale deed dated 30.07.2022 as stated in Annexure-P2. Learned counsel has further submitted that the deceased was lying ill since long and she was being regularly treated by the doctors and the medical reports of the deceased as annexed with the bail petition at Annexure-P3. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 24.07.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. 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, Bhojpur at Ara in connection with Sessions Trial No. 645 of 2023 arising out of Sikrahta P.S. Case No. 99 of 2023 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 bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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