

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41286 of 2024**

Arising Out of PS. Case No.-226 Year-2023 Thana- MAHUA District- Vaishali

Dharmendra Jha, Son of Sri Mahesh Jha, Resident of Village- Bishunpur  
Bejha, P.S- Mahua, Dist- Vaishali, Bihar, Pin- 844116

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rahul Kumar, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

3      02-08-2024                      Heard learned counsel for the petitioner as well as  
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Mahua P.S. Case No. 226 of 2023 registered on 10.04.2023 for the alleged offences under Sections 302, 201, 120(B)/34 of the Indian Penal Code.

3. As per prosecution case, sister of the informant was married with the petitioner and allegation is that the petitioner and other co-accused persons killed her on account of non-fulfillment of their dowry demand. They also disposed of the dead body of the sister of the informant.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The death of the sister of the informant occurred after 12



years of marriage and it is not believable that any dowry demand would be made after so many years. The couple had three sons and there has been no complaint during all these period about any dowry demand or torture. The story of the informant is not believable at all and the FIR has been lodged with some ulterior motive as the informant himself participated in the last rites of the deceased. Learned counsel further submits that the sister of the informant died due to illness as she has been suffering from vomiting and loose motion for which the deceased was firstly taken to a private hospital from where she has been referred to Sadar Hospital, Hajipur while she was taken to Sadar Hospital, she died in her way. The petitioner is in custody since 13.10.2023 and charge-sheet has been submitted. The petitioner is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made hereinabove and considering the vague and non-specific nature of allegation against the petitioner and further considering the submission of charge sheet and the period of custody of the petitioner coupled with his clean antecedent, he is directed to be released on bail on furnishing



bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Vaishali at Hajipur/court concerned in connection with Mahua P.S. Case No. 226 of 2023, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

**(Arun Kumar Jha, J)**

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