

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44741 of 2024

Arising Out of PS. Case No.-275 Year-2021 Thana- TAJPUR District- Samastipur

=====

MITHLESH RAI @ MITHLESH KUMAR RAI SON OF NAGINA RAI
Resident of Village - Larua, P.S. Tajpur (Halai O.P.), District - Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 06-09-2024

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Tajpur (Halai O.P.) P.S Case no. 275 of 2021 registered under sections 304B and 34 of the Indian Penal Code.

3. As per the prosecution case, the sister of the informant was married to the petitioner herein. The informant states that his sister was regularly beaten up by the accused persons including the petitioner herein for non-fulfillment of demand of dowry by way of a motorcycle. She was ultimately poisoned to death.

4. Learned counsel for the petitioner submits that the earlier application for bail of the petitioner was rejected vide



order dated 20.12.2023 passed in Cr. Misc. no.69314 of 2023. In spite of the petitioner having remained in custody since 6.5.2022 and charge having been framed in the learned trial Court on 23.7.2024, the witnesses on behalf of the prosecution are not appearing and not a single witness has been examined. It is submitted that the sister of the informant committed suicide by consuming poison. The petitioner has been falsely implicated in the case because of his being the husband of the deceased.

5. The prayer for bail is opposed by learned A.P.P for the State.

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 1.8.2024 of the learned Additional District & Sessions Judge-IV, Samastipur, charge has been framed in the case on 23.7.2024 and summons have been issued to the prosecution witnesses.

7. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R, the application having been rejected on merits by the earlier order dated 20.12.2023 and charge having been framed on 23.7.2024, the Court is not inclined to enlarge the



petitioner on bail and application is rejected.

8. Liberty is granted to the petitioner to renew his prayer for bail if there is no substantial progress in the learned trial Court in six months.

(Partha Sarthy, J)

Shiv/-

U		T	
---	--	---	--

