

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46442 of 2024**

Arising Out of PS. Case No.-167 Year-2023 Thana- GOPALPUR District- West Champaran

Mukesh Kumar Singh @ Mukesh Singh Son of Late Bipin Rao Resident of  
Vill- Dukhichhapar P.S.- Gopalpur, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Jai Narain Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

3      09-08-2024                      Heard learned counsel for the petitioner and learned  
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with  
Gopalpur P.S. Case No. 167 of 2023 instituted for the offences  
under Sections 302, 304B/34 of the Indian Penal Code.

3. As per prosecution case, the accusation against the  
accused persons including the petitioner is of being involved in  
committing murder of the deceased due to non-fulfillment of  
demand of dowry.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence as alleged  
against him and has falsely been implicated in the present case.  
The petitioner is the husband of the deceased. There is no direct



or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The postmortem report does not support the prosecution case as the same shows a single injury being abrasion below the chin and the cause of death has not been ascertained. As a matter of fact, the deceased has sustained an injury over her chin accidentally due to fall which has been misinterpreted in the matter. There is no eye-witness to the alleged occurrence. The Informant has also not disclosed any source for casting suspicion of killing his daughter. The petitioner has no criminal antecedent and is languishing in judicial custody since 19.10.2023 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. Learned counsel for the petitioner again submits that the co-accused namely Mt. Madhuri Kuwr @ Most Madhuri Kunwar @ Madhuri Kuwar has been granted bail by this Court vide order dated 18.03.2024 passed in Cr. Misc. No. 19706 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner,



the petitioner having no criminal antecedent and the nature of injury, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gopalpur P.S. Case No. 167 of 2023, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

**(Rudra Prakash Mishra, J)**

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