

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53441 of 2024

Arising Out of PS. Case No.-214 Year-2023 Thana- JANDAHA District- Vaishali

Mithilesh Rai @ Mithilesh Kumar Rai @ Mithilesh Kumar Son of Upendra
Rai R/O Bahsi Saidpur, P.S.- Jandaha, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Prasad Sinha

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for
offence under Sections 304(B)/34 of the Indian Penal Code.

3. As per prosecution case, this petitioner alongwith
others killed the daughter of informant by strangulation, due to
non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in this case merely
because he happens to be husband of deceased. As a matter of
fact, at the relevant time, petitioner was not present at home and
deceased had locked herself in the room and when petitioner
came and broke the door, he found that the deceased had
committed suicide. Petitioner is in custody since 13.05.2024.



5. However, learned A.P.P. for the State opposed the bail petition and submitted that petitioner is husband of deceased and there is specific and direct allegation against him of committing torture and demanding dowry. *Post-mortem* report shows that cause of death is *Asphyxia* caused by manual strangulation. Deceased has died in an unnatural circumstances within seven years of marriage at her matrimonial home.

6. Considering the nature and gravity of offence and the fact that petitioner is husband of the deceased and there is specific and direct allegation against him, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J)

Anay

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

