

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52396 of 2024

Arising Out of PS. Case No.-243 Year-2023 Thana- MOTIPUR District- Muzaffarpur

Mithilesh Kumar @ Mithilesh Mahto S/O Ashok Mahto R/O Village- Sadha Darbar, Naya Tola, P.S- Motipur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Jha, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends arrest in Motipur P.S. Case No. 243 of 2023, registered under Sections 304B/34 of the Indian Penal Code.

3. The prosecution case, in short, is that, the petitioners along with other family members have killed the daughter of the informant for non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Petitioner is brother-in-law of the deceased. Learned counsel for the petitioner also submits that the



allegations levelled against the petitioner is not specific, rather general and omnibus in nature. The husband of the deceased is in judicial custody. The petitioner is separate in mess and business from the husband of the deceased. The petitioner has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted regular bail by a this Court vide order dated 13.03.2024 passed in Cr. Misc. No. 16592 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Motipur P.S. Case No. 243 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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