

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65932 of 2024

Arising Out of PS. Case No.-203 Year-2024 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

Mukul Mishra @ Mukul Kumar Son of Late Kedarnath Mishra R/o-
Balbhadarpur Dudhpura , PS-Samastipur(Muffasil), District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Om Prakash Om, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

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

ORAL ORDER

3 19-11-2024 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Samastipur (Muffasil) P.S. Case No. 203 of 2024 instituted for
the offence under Sections 302/34 of the Indian Penal Code.

3. Prosecution case in short is that sister of the
informant was done to death at her matrimonial house due to
non-fulfillment of the demand of dowry.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 13-06-2024. Petitioner is a
man of clean antecedent.

5. It has been further submitted by the petitioner's
counsel that petitioner has been falsely implicated in the present



case. Petitioner is the husband of the deceased. It is submitted that allegation of demanding dowry after completion of seven years of marriage and after born of two daughters is wholly absurd, false and fabricated. It is submitted that due to depression wife of the petitioner has committed suicide. From perusal of the postmortem report, it appears that no external injury was found on the body of the deceased. There is no direct allegation against the petitioner. Police after completion of investigation has submitted charge sheet in this case under Section 306 of the IPC.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted by referring to paragraph No. 3 of the case diary that informant in his re-statement has supported the factum of the torture for dowry.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being no cogent material against the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner 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 Samastipur (Muffasil) P.S. Case No. 203 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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