

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73961 of 2023

Arising Out of PS. Case No.-158 Year-2021 Thana- PATAHI District- East Champaran

Mithu Sah Son Of Brahmdeo Sah Resident Of Village - Saraiya Gopal, Police
Station - Patahi, District - East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 302/34 of the Indian
Penal Code.

The informant, being a chowkidar, received an
information that wife of petitioner has been killed by him
along with other family members by tying sari in her
neck.

It is submitted by learned counsel for the
petitioner that the petitioner is innocent and he, being



the husband of deceased, has falsely been implicated in the present case. There is no eye witness of the alleged offence. It is further submitted that marriage of petitioner with deceased has solemnized 10 years ago and she has two sons out of the wedlock. There is no prior complaint of harassment and torture. It is mentioned in para 11 of the petition that deceased had committed suicide by hanging herself. There is no any mark of external injury over the body of the deceased in the inquest report. From perusal of the postmortem report, it is evident that cause of death is asphyxia due to hanging. Moreover, the petitioner is languishing in judicial custody since 06.02.2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail.



The above named petitioner is directed to be enlarged on bail in connection with Patahi P.S. Case No. 158 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Motihari, East Champaran.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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

