

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14759 of 2025

Arising Out of PS. Case No.-181 Year-2021 Thana- MANIYARI District- Muzaffarpur

Rakesh Kumar Mishra S/O Sachitanand Mishra R/O Village- Silaut Vasudev,
P.S.- Maniyari, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajnish Chandra

For the Opposite Party/s : Mr.Mohammed Arif

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 06-05-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial No. 246/2022 arising out of Maniyari P.S. Case No. 181/2021 dated 10.06.2021 registered for the offence punishable u/s 341, 323, 328, 302 read with 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have tortured the informant's daughter mentally and physically and killed her by administering poison due to non-fulfillment of demand of motorcycle as dowry.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner who is husband of the deceased. The petitioner neither demanded any dowry nor tortured the deceased. It is submitted that the deceased was not subjected to torture and cruelty soon before her death for or in connection with demand of dowry. Learned counsel has submitted that the petitioner is suffering from HIV. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 24.07.2021.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the petitioner is the husband of the deceased. As per letter No. 33/2025, out of 8 prosecution witnesses, only 5 witnesses have been examined in this case, one material witness and a doctor and I.O. are yet to be examined.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Muzaffarpur in connection with Maniyari P.S. Case



No. 181/2021, with the condition ;-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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