

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21231 of 2025

Arising Out of PS. Case No.-134 Year-2024 Thana- KURSAILA District- Katihar

Mitthu Singh @ Mitthu Kumar Singh Son of Ramesh Singh, R/o Village - Kursela Basa Tola (Nawabganj), P.S.- Kursela, Distt.- Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Pawan Kumar Singh, Advocate
For the Informant	:	Mr. Rabish Kumar, Advocate
		Mr. Adarsh Gaurav, Advocate
For the State	:	Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Kursela P.S. Case No. 134 of 2024, dated 19.07.2024, registered for the offences punishable under Sections 80 and 238 read with Section 3(5) of the BNS.

3. As per the prosecution case, the daughter of the informant was married with the petitioner four years prior to filing of the FIR. Just a few days after marriage, the daughter of informant was tortured by her in-laws and this petitioner on account of demand of a Bullet motorcycle and *bidagiri* was refused for non-fulfillment of demand of motorcycle and gold bracelet. Lastly, the daughter of the informant was killed on



18.07.2024 and her body was burned.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. In the course of investigation, independent witnesses have been examined and they have stated about the petitioner being an unemployed person, who started keeping bad company and became addicted to liquor which was opposed by the deceased and after one such altercation, she committed suicide by setting herself on fire. As soon as the family members of the petitioner came to know about this, they took her to hospital for treatment, but she could not be saved. The petitioner and other co-accused took every step to save the life of the daughter of the informant. He further submits that the conduct of the petitioner and his family members show they have no guilty intention and they took every step to save the life of the daughter of the informant. He further submits that the allegation of demand of bullet motorcycle and gold bracelet is false and concocted. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 22.08.2024.

5. Learned counsel for the informant as well as



learned A.P.P. appearing on behalf of the State oppose the submissions made on behalf of the petitioner. Learned counsel for the informant submits that within a few months of marriage, dowry demand was being made by the petitioner and other in-laws and they caused her dowry death.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the statements of some of the witnesses regarding daughter of the informant committing suicide and thus creating doubt over involvement of the petitioner and also considering period of custody of the petitioner, submission of chargesheet and his clean antecedent, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar / concerned Court, in connection with **Kursela P.S. Case No. 134 of 2024**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and



every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of non-appearance of the petitioner on single date or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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