

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37336 of 2025

Arising Out of PS. Case No.-112 Year-2024 Thana- MEHSI District- East Champaran

Md. Danish S/o Muturja Ali R/o Village- Bahadurpur, Ward No. 16, P.S.-
Mehsi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Karandeep Kumar, Advocate
For the State	:	Mr.Zainul Abedin, APP
For the Informant	:	Mr. Kundan Rathore, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner as well as

learned APP for the State and learned counsel appearing on

behalf of the informant.

2. This is the second attempt of the petitioner to seek

bail from this Court in connection with Mehsi P.S. Case No.

112 of 2024 registered for the alleged offences under Sections

80 and 3(5) of B.N.S. as his prayer for bail was earlier rejected

by a Co-ordinate Bench vide order dated 27.01.2025 passed in

Cr. Misc. No. 86174 of 2024.

3. As per prosecution case, petitioner being the

husband of the daughter of the informant used to demand

Rs.Ten lakhs in dowry and further used to threatened her that

she would be killed if the demand was not made. Thereafter, the



informant received information about his daughter being killed by her in-laws and this petitioner who fled away from the house leaving behind the dead body and the informant observed a number of injuries on the body of his daughter.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel further submits that the petitioner never demanded any dowry and no complaint was ever made before any authorities either by the deceased or by her parents. At the relevant time, the petitioner was not even present at the place of occurrence as he was in Kolkata in connection with his job where he has been working to earn his livelihood. The deceased was a lady of short temper and she committed suicide in her matrimonial home and though knowing about her act, still the informant lodged the present case for wrongful gain from the petitioner and his family members. Learned counsel further submits that earlier the prayer for bail of the petitioner was rejected by a Co-ordinate Bench with liberty to the petitioner to renew his prayer for bail after framing of charge. Charges have been framed in this case. Learned counsel further submits that the postmortem report does not show any cause of death as the viscera has been preserved and this falsifies the allegation



against the petitioner and other co-accused persons. Petitioner is in custody since 27.08.2024 and he is having clean antecedent.

5. Learned APP as well as learned counsel appearing on behalf of the informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that the petitioner is the husband of the deceased and there is specific allegation that the daughter of the informant was killed on account of non-fulfillment of dowry demand.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the charges have been framed and there is no chance of tampering and also considering the period of custody of the petitioner and background of nature of allegation, the petitioner above named is directed to 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 learned Judicial Magistrate, Ist Class, East Champaran at Motihari/concerned Court in connection with Mehsi P.S. Case No. 112 of 2024, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the 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.

(iii) In case of absence on three consecutive dates 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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