

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36691 of 2025

Arising Out of PS. Case No.-275 Year-2021 Thana- TAJPUR District- Samastipur

Mithlesh Rai @ Mithilesh Rai @ Mithlesh Kumar Rai S/O Nagina Rai
Resident of Village- Larua, P.S. Tajpur (Halai OP), District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 29-08-2025 Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Tajpur (Halai O.P.) P.S Case no. 275 of 2021 registered under sections 304B and 34 of the Indian Penal Code.

3. As per the prosecution case, the sister of the informant was married to the petitioner herein. The informant states that his sister was regularly beaten up by the accused persons including the petitioner herein for non-fulfillment of demand of dowry by way of a motorcycle. She was ultimately poisoned to death.

4. It is submitted by learned counsel for the petitioner that the earlier prayer for bail of the petitioner was rejected vide orders dated 20.12.2023 and 6.9.2024 (Annexures- 1 & 2)



passed in Cr. Misc. nos. 69314 of 2023 and 44741 of 2024 respectively. In spite of the petitioner having remained in custody since 6.5.2022, there is no progress whatsoever in the learned trial Court and as per instructions received, only one witness has been examined on behalf of the prosecution. The petitioner undertakes to cooperate in the trial and remain properly represented/physically present in Court on each date of the trial.

5. The application for bail is opposed by learned APP for the State.

6. A report was called for from the learned trial Court. As per report received contained in letter dated 5.7.2025, one witness has been examined on behalf of the prosecution.

7. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, charge having been framed in the case on 23.7.2024 and in the last one year only one witness having been examined on behalf of the prosecution as is evident from the report received from the learned trial Court together with the petitioner having remained in custody for more than 3 years since 6.5.2022, the petitioner above named is directed to be enlarged on bail in connection with Tajpur (Halai O.P.) P.S Case no. 275 of 2021 (Sessions Trial no. 375



of 2023) 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 I/C District & Additional Sessions Judge-IV, Samastipur.

(Partha Sarthy, J)

Sauravkrsinha/
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