

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88932 of 2024

Arising Out of PS. Case No.-310 Year-2024 Thana- MOKAMAH District- Patna

Mukesh Yadav @ Mukesh Ray S/o Anandi Ray R/o Vill - Mekra, P.S. -
Mokama, Distt.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mahesh Yadav S/o Ramsare Yadav R/o vill - Sarmaidan, P.S. - Hathiyawan,
Distt.- Sheikhpura

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prem Ranjan Kumar, Advocate
For the Informant/s	:	Mr. Kumar Malendu, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 04-04-2025 Heard learned counsel for the petitioner; Mr. Kumar
Malendu, learned counsel for the informant and Mr. Binod
Kumar, learned APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under Sections 103(1), 3(5)
of the Bharatiya Nyaya Sanhita, 2023.

3. The case of the prosecution is that the daughter of the
informant was married 11 years ago with Gulshan Yadav. It has
further been alleged that she was subjected to cruelty on account
of non-fulfillment of dowry demand. It is further stated that on
01.08.2024 at about 06:00 AM, informant received an
information that his daughter has been killed by the in-laws.



4. Learned counsel appearing on behalf of the petitioner has submitted that the name of this petitioner is not there in the FIR but it has surfaced in the re-statement of the informant. He further submits that the petitioner was living separately from brother even prior to the occurrence and to support this he has filed Annexure-P/2 which is partition by Gram Kachahri. It is also submitted that the deceased has three children. Two of them has given their statement during investigation and they have stated that they were sleeping with their mother and when she did not woke up in the morning, they tried to woke her up, even all the family members tried to woke her (deceased) up, but she did not woke up and then she was rushed to hospital and then came to know that she is died. Similarly situated other co-accused persons have been granted bail by this Court in Cr. Misc. Nos. 82815 of 2024 and 83405 of 2024. It is further submitted that the petitioner is languishing in judicial custody since 24.08.2024.

5. Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and submits that the petitioner is having criminal antecedent of one case.

6. Having heard learned counsel for the parties and



considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Mokama P.S. Case No. 310 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Barh (District-Patna).

(Ashok Kumar Pandey, J)

Sudhanshu/-

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