

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88249 of 2024

Arising Out of PS. Case No.-125 Year-2024 Thana- ISUAPUR District- Saran

Mukesh Kumar @ Mukesh Ray @ Mukesh Kumar Rai Son of Late Naresh Ray Resident of Village - Achitpur, P.S. - Isuapur, District - Chapra, Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Rashmi

For the Opposite Party/s : Mr. Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-01-2025 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 304(B) and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and has been falsely implicated in the instant case by the informant based on suspicion and is in custody since 10.05.2024. It is next submitted that the family members of the petitioner namely Rakesh Ray @ Rakesh Rai along with three others had approached this Court seeking anticipatory bail by filing Criminal Miscellaneous No. 68628 of 2024 and the same was allowed by an order dated 07.10.2024, it is next submitted that



while granting anticipatory bail to Rakesh Ray @ Rakesh Rai and three others, the Court had considered the case in detail and on merit. It is further submitted that the informant is not an eye witness to the occurrence and the entire allegation hinges around suspicion and the FIR does not disclose that what was being demanded by the accused persons including the petitioner by way of dowry. It is next submitted that no doubt the death of the daughter of the informant took place within seven years of marriage, but then all deaths are not dowry deaths. It is further submitted that charges have been framed against the petitioner on 13.01.2025 and the petitioner will cooperate in the trial to prove his innocence.

4. Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Isuapur P.S. Case No. 125 of 2024.

6. However, it is made clear that if the learned Trial



Court comes to a conclusion that petitioner, after his release, is trying to delay the trial in any manner in that event, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner forthwith and shall take all coercive steps to ensure that petitioner is behind bars.

7. The learned counsel for the petitioner seeks permission to make correction in the prayer portion of the regular bail application as charges have been framed against the petitioner.

(Satyavrat Verma, J)

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