

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55981 of 2025

Arising Out of PS. Case No.-495 Year-2025 Thana- MAHUA District- Vaishali

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Rakesh Sah @ Rakesh Sha S/o Shatrudhan Sah @ Satrudhan Sah R/o vill -
Karanpura, Karnpura, P.S.- Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravish Mishra

For the Opposite Party/s : Mr.Syed Ehteshamuddin

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 02-02-2026 Heard learned counsel for the petitioner as well

as learned APP for the State.

2. In this case, the petitioner is seeking regular bail
in connection with Mahua P.S. Case No. 495 of 2025, registered
for the offences punishable under Sections 80/3(5) of the BNS.

3. According to allegation, the marriage of the
deceased was solemnized with the petitioner two years prior to
lodging of the FIR. The accused persons, according to the
allegations, were demanding dowry. When the daughter of the
informant did not pick up the phone call, he reached there and
saw her dead body. The informant expressed his firm belief that
the petitioner and named family members of the petitioner
committed murder of the deceased, after assaulting and pressing



her throat.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated. The description of dowry has not been mentioned in the FIR. There is no mark of injury on the person of the deceased which falsifies the allegation of *marpit*. He has submitted further that as a matter of fact, the deceased was suffering from so many ailments and she committed suicide. A letter was sent by mother of the petitioner to the SHO, apprising him that after concealing the ailments of the deceased, the marriage was solemnized. When the deceased died, her family members were informed and they came. The petitioner is a person of clean antecedent and is under custody since 23.04.2025.

5. On the other hand, the learned counsel for the informant has opposed the prayer for bail and submitted that two witnesses have been examined and four are still remained to be examined.

6. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief



Judicial Magistrate, Vaishali at Hajipur in connection with Mahua P.S. Case No. 495 of 2025, subject to the condition that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

7. The petitioner shall physically appear before the learned court below on each and every date. In case of failure on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bonds of the petitioner.

(Nawneet Kumar Pandey, J)

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