

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10964 of 2015

Arising Out of PS.Case No. -11 Year- 2014 Thana -DIGHWARA District-
SARAN

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Raj Kishore Mahto son of Sri Ram Pravesh Mahto resident of Village -
Ishupur, P.S. Dighwara, Distt - Saran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

4 26-06-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 304(B)/201/34 of IPC.

Allegation against the accused persons including the
petitioner is to have burnt the deceased due to non-fulfilment of
demand of dowry.

It is submitted that the petitioner is the husband of the
deceased and he had good relationship with his wife, who was
leading conjugal life happily. Out of said wedlock, a female child
was also born to her. The occurrence is alleged to have taken
place on 4.8.2013, whereas, complaint petition was filed on
26.11.2013. From perusal of the complaint petition it appears that



the complainant had only signed on a plain paper and someone got a case manufactured against the petitioner and others. Later on, considering this fact and knowing the correct position, complainant-informant also filed a petition in the Court of Chief Judicial Magistrate, Saran at Chapra that *sari* of the deceased was burnt due to *Dhibari* (an earthen lamp) and she died during treatment and the dead body was cremated in presence of both the parties.

It is further submitted that the petitioner is in custody since 18.12.2014 having no criminal antecedent.

Learned counsel for the State could not controvert the contention of the petitioner while opposing his prayer for bail.

Considering the facts and circumstances, the above named petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra /court concerned in Dighwara P. S. Case No. 11 of 2014 with following conditions:-

1. The petitioner will not indulge himself in similar or any other offence.
2. One of the bailors must be the close relative of the petitioner.

3. The petitioner will be well represented in the Court on each and every date and in case of absence for two consecutive dates or in case of violation of terms of bail, his bail bond would be liable to be cancelled by the learned Court concerned.

(Amaresh Kumar Lal, J)

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