

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.8370 of 2015**

Arising Out of PS.Case No. -119 Year- 2012 Thana -MATIHANI District- BEGUSARAI

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Ajay Mahto, Son of Lujo Mahton, Resident of Village-Matihani, P.S.-  
Matihani, District-Begusarai.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rai Mukesh Sharma, Advocate

For the Opposite Party/s : Mr. Awdhesh Kumar Singh (A.P.P.)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI**  
**SHARAN SINGH**  
**ORAL ORDER**

2 10-04-2015

Heard learned counsel for the petitioner and  
learned Additional Public Prosecutor for the State.

The petitioner is the husband of the deceased and  
is in custody in a case registered for the offences punishable  
under Section 304B/34 of the Indian Penal Code.

Learned counsel appearing on behalf of the  
petitioner submitted that as a matter of fact after the  
occurrence, took place on 27.08.2012, the petitioner had  
immediately taken the deceased to the hospital for the  
treatment of the burn injuries which she had received. The  
informant and his family had full knowledge about the  
accident which had taken place on 27.08.2012 leading to  
burn injuries on the deceased. The deceased died more than  
three months after the date of occurrence on 03.12.2012 and

eight days thereafter, the First Information Report came to be lodged.

Learned counsel for the petitioner has submitted that institution of the present case is, in fact, abuse of the process of law. The delay in institution of the First Information Report, for an occurrence which is said to have taken place on 27.08.2012, casts serious doubt over the prosecution case.

In view of the submissions as made above, let the petitioner, abovenamed, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Begusarai, in connection with Matihani P.S. Case No.119 of 2012.

**(Chakradhari Sharan Singh, J)**

Praveen-II/-

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