

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.45689 of 2015**

Arising Out of PS.Case No. -153 Year- 2015 Thana -NANPUR District- SITAMARHI

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1. Ras Bihari Mahto Son of Rita Mahto R/o village - Naya tol, P.S. Nanpur,  
District - Sitamarhi

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Meena Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**

**ORAL ORDER**

3 07-01-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Nanpur  
P.S. Case No. 153 of 2015 registered for the offence punishable  
under Section 304-B/34 of the Indian Penal Code.

Chandrika Devi, the daughter of the informant was  
married to Bhola Mahto, the son of the petitioner and due to non-  
fulfillment of demand of she-buffalo, the husband, mother-in-law,  
the petitioner and Vaisur started torturing her and ultimately burnt  
her to death.

Submission is of false implication and that during  
investigation the witnesses, vide paras 24, 25, 26 and 27 of the  
case diary, have stated that when Chandrika Devi was cooking  
food, accidentally fire engulfed her and the family members and  
the witnesses tried to save her and further she was being brought

for treatment to Darbhanga but she died in the way and, as such, the petitioner being father-in-law, who is suffering in custody since 19.07.2015, deserves sympathetic consideration as chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. fairly submits that those witnesses have not supported the prosecution version but the informant and some of the witnesses have supported the prosecution version.

In the facts and circumstances stated above, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned C.J.M., Sitamarhi arising out of Nanpur P.S. Case No. 153 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

**(Jitendra Mohan Sharma, J)**

sushma/-

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