

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33370 of 2015

Arising Out of PS.Case No. -75 Year- 2014 Thana -MANSURCHAK District- BEGUSARAI

1. DINESH MAHTO @ DINESH MAHTON Son of Sri Bharat Mahto
Resident of Village - Veerganj, P.S.- Mansurchak, District- Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal

For the Opposite Party/s : Mr. Shantanu Kumar (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 05-01-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 304 B, 201 and 34 of the I.P.C

Smita Devi, daughter of the informant, was married
with the petitioner on 13.12.2013 and due to non fulfillment of
demand of dowry by way of Rs. 1,00,000/- she was being tortured
and ultimately she was poisoned to death by the petitioner and
other in-laws and her dead body was also cremated.

Submission is of false implication and that the
independent witness vide paragraphs- 23, 24 and 25 of the case
diary have stated that the wife of the petitioner was suffering with
chronic ailment and her brother has come to see and she died but
the informant with oblique motive lodged this case and as such the

petitioner deserves sympathetic consideration, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. opposes prayer for bail.

In the facts and circumstances as stated above, considering that the independent witnesses, namely, Nunu Mahto, Rambali Mahto and Dhanu Rai have not supported the prosecution version, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Rajesh Kumar Dewedi, J.M. 1st Class- Cum- Additional Munsif, Begusarai in Mansurchak P.S. Case No. 75 of 2014, subject to the conditions that one of the bailors must be a 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)

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