

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37175 of 2017

Arising Out of PS.Case No. -15 Year- 2017 Thana -HALSI District- LAKHISARAI

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Singheshwar Mahto, son of Ramswaroop Mahto, Resident of Village-Khuriyahi, P.S.- Halsi, District- Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Prasad

For the Opposite Party/s : Mr. Ram Priya Saran Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 09-10-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner is languishing in judicial custody since 27.02.2017 in connection with Halsi P.S. Case No.15 of 2017 registered for the offence punishable under Sections 302, 120(B)/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that his daughter Shila Devi was married with one Sudhir Mahto in 2008 and had three children born out of the wed lock. Since last two years she was being tortured for dowry and on the date of occurrence he received information that his daughter and all the three children have been burnt and one child died during course of treatment.

It has been submitted by the learned counsel for the



petitioner that he is innocent and he is father-in-law of the deceased and is also separated from mess of the deceased and her husband, and it is only on the basis of suspicion he has been made accused. He submits that charge sheet has already been submitted and there is no allegation of tampering with the prosecution witness by the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail stating that the deceased daughter of the informant along with three grand children aged 7, 4 and 2 years of age respectively have been burnt to death and during course of investigation kerosene oil container had been found. He submits that post mortem report is 100% burn injury and some of the witnesses have supported that there was constant fight with the deceased daughter of the informant and her in-laws.

Considering the facts and circumstances and the materials on record, I am not inclined to grant bail to the petitioner at this stage. Accordingly, this application is rejected.

However, petitioner is at liberty to renew his prayer for bail after framing of charge.

(Nilu Agrawal, J)

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