

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59266 of 2017

Arising Out of PS.Case No. -38 Year- 2016 Thana -KOTWA District-
EASTCHAMPARAN(MOTIHARI)

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1. Mohar Mahto @ Manohar Mahto son of Raghunath Mahto resident of
Village - Dipau, P.S. - Kotwa, District - East Champaran.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case initially instituted
under Sections 498A, 302, 201/34 of the Indian Penal Code and ¾
of D.P. Act but charge sheet has been filed for an offence under
section 306 of the Indian Penal Code.

The allegation against the petitioner is of committing
murder of the deceased due to non-fulfillment of the demand of
dowry.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 01.09.2017. The charge sheet has
been submitted in the present case under Section 306 of the Indian
Penal Code. The petitioner has got no criminal antecedent. There



is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Para-18 is the re-statement of the victim, where she has retracted from her earlier statement made in the F.I.R.

On behalf of the state, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned 10th A.C.J.M., Motihari, East Champaran, in connection with Kotwa P.S. Case No. 38/2016.

(Sudhir Singh, J)

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