

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55972 of 2018

Arising Out of PS. Case No.-28 Year-2018 Thana- PIYAR District- Muzaffarpur

Ashok Mahto @ Ashok Kumar, S/o Mohan Mahto, R/o Vill.- Simra, Manak Tola, P.S.- Pear, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Pawan Kumar Singh, Advocate.
For the Opposite Party : Mr. Sanjay Kumar Tiwary 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-11-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 304(B)/34 of the IPC.

The prosecution story, in brief, is that the accused persons including the petitioner killed the daughter of the informant due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The witnesses in paragraph nos. 7, 8 and 9 have categorically stated that the deceased had committed suicide. It is not a case for offence under Section 304(B) of the IPC. The petitioner has been made accused in the present case



due to mistake of fact.

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

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-cum-Sub Judge-Vth, Muzaffarpur in connection with Pear P.S. Case No. 28/18, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

U		T	
---	--	---	--

