

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2128 of 2018

Arising Out of PS. Case No.-25 Year-2017 Thana- CHUTIA SAHAYAK District- Rohtas

Vimlesh Kumar Mahto @ Vimlesh Mahto @ Bimlesh Mahto S/o Bhola
Mahto, R/o Village- Tiura, P.S.- Chutiya, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deovind Kumar Singh

For the Opposite Party/s : Mr. SATYADEV PRASAD SINGH YADAV

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-02-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in Chutiya P.S. case No.25 of 2017, G.R. No.555 of 2017, S. Trial No.421 of 2017 registered under Sections 498A, 304B, 201, 511/34 of the Indian Penal Code, pending in the court of Addl. District and Sessions Judge VIIIth, Rohtas, Sasaram.

Allegation is that the accused persons including the petitioner the petitioner committed murder of the daughter of the informant due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 18.05.2017 and 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. There is no eye witness to the alleged occurrence. Some of the witnesses have stated that the deceased had lit the fire and got burnt. At best, it is a case for an offence under Section 306 of the I.P.C. There is no demand of dowry. Hence, no offence under Section 304B of the I.P.C. is made out. Scuffle took place as the deceased had illicit relation with her Ziza (brother-in-law).

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. He is the husband of the deceased. Several witnesses have supported the allegations made in the F.I.R. The cause of death of the deceased has not been explained by the petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. Prayer for bail is rejected. The court below is directed to take necessary steps to expedite the trial.

(Sudhir Singh, J)

Narendra/-

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