

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76139 of 2018

Arising Out of PS. Case No.-358 Year-2018 Thana- TURKAULIYA District- East
Champaran

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Santosh Mahto, S/o Chhathu Mahto, R/o village- Shankar Saraiya, P.S.
Turkauliya, District- East Champaran.

... .. Petitioner/s

Versus

1. State Of Bihar

2. Sangita Devi W/o Santosh Mahto, D/o Singhasan Mahto, R/o Village-
Shankar Sariya Kaswa Tola, P.S. Tukauliya, District- East Champaran,
presently R/o Village- Hagani, P.S. Turkauliya, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. Smt. Renuka Ratnakar

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 19-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Turkauliya P.S. Case No. 358 of 2018
registered for the offence punishable under Sections 341, 323,
498-A, 494, 504/34 of the Indian Penal Code and $\frac{3}{4}$ Dowry
Prohibition Act.

Informant in her written complaint has alleged that
her marriage was solemnized with petitioner 11 years before and
two daughters and one son were also born from the said
wedlock. Her husband was living at Delhi since one year for
livelihood and he stopped to give money to her and her children



for maintenance. When her husband returned back from Delhi alongwith one lady, she asked about her then he replied that he performed second marriage with her. On this, she raised objection, upon which petitioner and other accused persons assaulted her and ousted her alongwith her children from the house. It has been further alleged that earlier also she was being tortured by the petitioner and his family for non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Petitioner is the husband of informant and he is ready to keep her with full honour and dignity. Petitioner has no criminal antecedent and he is in custody since 18.06.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari, East Champaran, in connection with Turkauliya P.S. Case No. 358 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and



shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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