

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23711 of 2018

Arising Out of PS.Case No. -140 Year- 2017 Thana -KALUAHI District- MADHUBANI

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1. Sanjay Mahto @ Sanjay Kumar Mahto, S/o- Ram Babu Mahto, resident of Village- Malmal, P.S. Kaluahi, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi

For the Opposite Party/s : Mr. Sri Amrendra Prasad

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

4 23-05-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in Kaluahi P.S. Case No. 140/2017 registered under Sections 302 and 120(B) of the Indian Penal Code.

The petitioner is said to have committed murder of his wife in association with other accused persons.

It is submitted by learned counsel for the petitioner that the petitioner has no concern with the aforesaid occurrence. He has been falsely implicated in this case due to dirty village politics. Victim has herself set her ablaze as she stood fail in the matriculation examination. Father and aunt of the victim have also stated before the I.O. that the victim had committed suicide by



setting her ablaze as she stood fail in the matriculation examination. She had made no complain against her in-laws.

Learned Additional P.P. opposed the bail prayer.

The post-mortem report indicates that the deceased had sustained burn injury to the extent of 100%. Besides this, her trachea was also found congested and the doctor had opined the cause of death due to asphyxia and shock caused by strangulation and burn injury as post-mortem injury which appears to rule out the defence of the petitioner.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prakash Chandra Jaiswal, J.)

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