

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11990 of 2018

Arising Out of PS.Case No. -226 Year- 2016 Thana -VAISHALI District- VAISHALI(HAJIPUR)

=====

KAVINDRA MAHTO @ KARMENDRA KUMAR, S/o Shankar Mahto,
Resident of Village- Madhavpur, P.S. Vaishali, District- Vaishali.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Sunil Kumar Singh, Advocate.

For the Opposite Party : Mr. Yogendra Kr. Singh (App)

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-03-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 498(A), 304(B) and 201/34
of the IPC.

The prosecution story, in brief, is that the accused
persons including the petitioner killed the victim 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 petitioner has falsely been implicated in the present
case due to mistake of fact. It is not a case for the offence under



Section 304(B) of the IPC. The so-called deceased has appeared before the learned court below and made her statement under Section 164 Cr. P.C. where she has categorically stated that she had left the house on her own will and she does not want to reside with this petitioner. The 164 Cr. P.C. statement of victim/deceased is Annexure-3 to the present application.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

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 the learned C.J.M. Vaishali at Hajipur, in connection with Vaishali P.S. Case No. 226 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

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

(Sudhir Singh, J)

