

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32231 of 2018

Arising Out of PS.Case No. -252 Year- 2017 Thana -GAYGHAT District- MUZAFFARPUR

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1. Ramesh Mahto, S/o Ram Chandra Mahto, Resident of Village - Pakri
Kesho, P.S. - Gaighat, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 28-08-2018 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 304B and 201/34 of the Indian
Penal Code.

The petitioner is husband of the victim of dowry
death. Marriage was solemnized on 11.04.2011 and the death
occurred on or before 10.11.2017. Allegation is of demand of
dowry and torture for the same soon before death. The dead body
was disposed of without postmortem examination.

Submission is that the petitioner is in custody
since 13.04.2018. The victim died of illness which would be
evident from the prescription at Annexure-2. Further submission is
that family members of the victim had participated in the



cremation of the dead body and after 7 days lodged the case, just to pressurize.

The witnesses have supported the allegation of demand of dowry and torture for the same before the police.

Considering the presumption of law against the petitioner, I am not inclined to enlarge him on bail in connection with Gaighat Police Station Case No. 252 of 2017 pending in the court of learned 16th Sub-Judge-cum-Additional Chief Judicial Magistrate, Muzaffarpur.

Hence, prayer for bail is refused.

Learned trial court is directed to expedite the trial.

(Birendra Kumar, J)

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