

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4372 of 2019

Arising Out of PS. Case No.-184 Year-2018 Thana- CHANPATIA District- West Champaran

Mantoo Kumar Baitha @ Mantoo Baitha (22 years (M), son of Satyendra Baitha, Resident of Village- Bijbaniya Bhikhampur, P.S.- Chanpatia (Sirisiya), District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 05-03-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Chanpatia (Sirisiya) P.S. Case No. 184 of 2018 registered for the offence punishable under Sections 304 B, 201/34 of the Indian Penal Code.

Informant has alleged that his daughter was married to Ranjay Baitha and, thereafter, she was subjected to torture for non-fulfillment of demand of rupees two lacks as dowry and from the said wedlock, a female child was also born. It has further been alleged that on 14.05.2018 daughter of the informant was killed by the FIR named accused.

Petitioner is brother-in-law of deceased. It has been submitted that he is innocent and has falsely been implicated in this case. It has further been submitted that there is general



and omnibus allegation against the petitioner of torturing the daughter of the informant. According to postmortem report, the cause of death is asphyxia due to hanging and similarly placed co-accused has already been granted bail by a co-ordinate Bench of this Court as contained in Annexure 3.

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/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, V, West Champaran, Bettiah in connection with Chanpatia (Sirisiya) P.S. Case No. 184 of 2018, with following conditions:-

(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 shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.



(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)

Sanjay/-

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