

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.10454 of 2019**

Arising Out of PS. Case No.-135 Year-2018 Thana- BELA District- Sitamarhi

Narendra Mahto @ Shyambabu Mahto @ Narendra Kumar Singh, Son of  
Ram Chandra Mahto @ Ram Rekha Mahto Resident of Village-Lohasi, P.S.-  
Belsand, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Shyam Bihari Singh

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      08-04-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in a case instituted for the  
offences under Sections 304B, 120(B), 201, 498A, 379 of the  
Indian Penal Code.

Allegation against the petitioner is of committing  
torture and assault and thereafter caused death of the victim due  
to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that  
the petitioner is in custody since 19.11.2018 and has got no  
criminal antecedent. There is no allegation of tampering of  
witnesses alleged against the petitioner. Charge-sheet has been  
submitted in the present case. From perusal of paragraph nos. 9,



10, 11 and 12 of the case diary, it is evident that the alleged occurrence is said to have taken place in the naihar of the deceased. The petitioner has falsely been implicated in the present case. The date of death of the deceased is not consistent as per the prosecution case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The petitioner is husband of the deceased. The onus is on him to explain the cause of death of the deceased. Paragraph 31 of the case diary supports the prosecution case.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. Prayer is rejected. The Trial Court is directed to expedite the trial.

**(Sudhir Singh, J)**

Pankaj/-

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