

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18700 of 2019

Arising Out of PS. Case No.-205 Year-2018 Thana- SAHEBPUR KAMAL District-
Begusarai

Matari Mahto, son of Late Moju Mahto, Resident of Village - Chouki, P.S.-
Sahebpur Kamal, Distt - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Mr.Kanhaiya Kishore (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-04-2019 Heard learned counsel for the petitioner and learned counsel
appearing on behalf of the State.

The petitioner, being the father of the husband of victim, is languishing in custody since 18.12.2018 in connection with Sahebpur Kamal P.S. Case No.205 of 2018 registered for the offences punishable under Sections 304(B), 201, 34 of the Indian Penal Code.

The prosecution case, as per the written report of Manoj Singh submitted to Sahebpur Kamal P.S. is to the effect that the informant received information through phone that his daughter Priyanka Devi has been killed, whereupon the informant reached at his daughter-in-law's house and found the house locked. On enquiry, he came to know that all the FIR named accused persons including the petitioner have killed his daughter and disposed of her dead body. It is alleged that the daughter of the informant has been killed within one year of her marriage for non-fulfillment of dowry demand of a motorcycle.

It is submitted by learned counsel for the petitioner that thrust of accusation against the husband of the victim and there is no eye



witness to the alleged occurrence and general and omnibus accusation has been made against the petitioner. It is further submitted that investigation has already been concluded and co-accused Sanjay Mahto, Gabbar Mahto have been granted anticipatory bail vide order dated 26.02.2019 passed in Cr. Misc. No.11574 of 2019. It is further submitted that the petitioner is not having criminal antecedent, statement to that effect has been made in paragraph no.3 of the bail application.

Learned A.P.P. for the State has vehemently opposed the prayer for bail and submits that the petitioner is named in the FIR and daughter of the informant was killed after one year of marriage.

Considering the fact that the thrust of accusation is against the husband of the informant coupled with the fact that the investigation has already been concluded, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-V, Begusarai in connection with Sahebpur Kamal P.S. Case No.205 of 2018.

(Dinesh Kumar Singh, J)

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