

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29960 of 2019

Arising Out of PS. Case No.-494 Year-2015 Thana- NAWADA District- Nawada

JAI PRAKASH MAHTO Son of Mahendra Mahto Nonia Resident of Village
- Loharpura, P.S.- Kadirganj (Nawada), District- Nawada (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shitanshu Shekhar Mishra

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-05-2019 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 323, 341, 498(A), 304(B), 120(B) and 34 of the Indian Penal Code and 3 and 4 of D.P. Act.

Allegation against the accused persons is of committing torture 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 11.2.2019 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. The petitioner has falsely been implicated in the present case. From perusal of paragraphs 3, 4,



5, 15 and 26 of the case diary, it is evident that the deceased has committed suicide. Hence it is not a case for offence under Section 304B IPC. At best, an offence under Section 306 IPC is made out.

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

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Nawada in connection with Nawada Town (Kadirganj) P.S. Case No. 494 of 2015.

(Sudhir Singh, J)

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