

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42160 of 2019

Arising Out of PS. Case No.-195 Year-2018 Thana- MUSAHARI District- Muzaffarpur

DEEPAK MAHTO @ DEEPAK KUMAR Son of Bhukhlu Mahto Resident of
Village - Manika Bishunpur Chand Tole, Mura Ward No. 05, P.S.- Mushhari,
Distt - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Kumari Vandana Mr.Sanjay Kumar
For the Opposite Party/s :		Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 27-09-2019 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor for the State.

Being husband of the victim, petitioner is accused in
the instant case for the offence under section 304B of the IPC.

Marriage is said to have taken place three years prior to
the occurrence. There is a daughter from the aforesaid wedlock.

It is submitted by counsel for the petitioner that
allegation of continuous demand for dowry is unfounded as
prior to the occurrence, there is no such complain made to any
authority. Even in the F.I.R, at best, allegation is of soliciting
money for business and there is no demand of dowry.

Allegation in the FIR is of administering poison
whereas in the investigation sister and brother of the victim have
given different statements, one by hanging and other by



strangling the victim by pressing neck.

It is also submitted that after 13 days of alleged occurrence, petitioner has been arrested that also after completion of last rites of the victim.

Petitioner is custody since 29.08.2018.

Considering the facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate-cum-Sub Judge VI, Muzaffarpur in Mushahari P.S. Case no. 195/2018 subject to the following conditions.

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

s.hassan/-

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