

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52440 of 2019

Arising Out of PS. Case No.-218 Year-2017 Thana- DARAUNDA District- Siwan

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AJAY MAHTO, Male, aged about 28 years, S/o Rudal Mahto, R/o village-
Bonaganj Jalalpur, P.S.- Darauda, District- Siwan

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Rupa Devi, female, aged 26 years, W/o Ajay Mahto, R/o village- Bonaganj
Jalalpur, P.S.- Darauda, District- Siwan

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 27-11-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 498(A)/341/323/307/504/506/34 of the Indian Penal Code and Section 3/4 of the Dowry Act.

Allegation against the F.I.R. named accused persons including the petitioner is of torturing and abusing the informant for non-fulfillment of demand of dowry. Further allegation is that her nanad Shobha Kumari sprinkled kerosene oil and set her on fire in order to kill her as a result of which she sustained burn injury.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It



has further been submitted that in fact during cooking, she received burn injury for which she was immediately brought before the doctor and got treated there. Similarly placed co-accused persons have already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 18.07.2018 passed in Cr. Misc. No.29500/2018. Petitioner has no criminal antecedent and he is in custody since 03.04.2019.

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 court below where the case is pending in connection with Daraunda P.S. Case No.218/17, 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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