

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59597 of 2019

Arising Out of PS. Case No.-31 Year-2019 Thana- MAJHAULIA District- West Champaran

SHATRUGHAN MAHTO @ SHATRUGHAN MATHTO, aged about 25 years, Male, Son of Sri Khedu Mahto, Resident of Village - Parsa, Rai Tola, Ward No. 9, P.S.- Majhaulia, District - West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Umesh Chandra Verma, Advocate.
For the Opposite Party : Mr.Narsingh Tanti, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-09-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 304(B) and 201/34 of the IPC.

The prosecution story, in brief, is that in the year 2013, informant's sister Puja Kumari was married with Shatrughan Mahto (petitioner) and started leading peaceful conjugal life. After some period, the deceased's husband and his family members demanded dowry of Rs. 2,00,000/- and a Motorcycle. The informant was unable to fulfill the demand of dowry. Due to non-fulfilment of dowry demand, petitioner and his family members subjected cruelty upon her. Lastly, on



18.01.2019, all the accused killed her by burning and gave false information to the informant that his sister is ill. Due to this reason, the informant could not reach at the time of cremation.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 09.04.2019. The petitioner has got no criminal antecedent. The petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is the husband of the deceased. A petition has been filed by the informant in the court of learned Chief Judicial Magistrate, Bettiah, West Champaran on 28.01.2019 where he has retracted from his earlier statement made in the F.I.R. vide Annexure-2 to the present application. The petitioner has been made accused in the present case due to mistake of fact.

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

Considering the aforesaid facts and circumstances, let 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 the learned C.J.M.



West Champaran at Bettiah, in connection with Majhaulia P.S.
Case No. 31 of 2019.

(Sudhir Singh, J)

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