

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59162 of 2019**

Arising Out of PS. Case No.-97 Year-2018 Thana- PATAHI District- East Champaran

BITU MAHTO Son of Manoj Mahto Resident of Village - Mahamada, P.S.-  
Patahi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Binod Kumar Singh

For the Opposite Party/s : Mr.Satya Nand Shukla

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      19-09-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in a case registered under Section  
304(B)/34 of the Indian Penal Code.

Allegation is that the accused persons including the  
petitioner caused death of the sister of the informant due to non-  
fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the  
petitioner is in custody since 12.06.2018 and has got no criminal  
antecedent. Charge sheet has been submitted in this case. There  
is no allegation of tampering of witnesses alleged against the  
petitioner. The petitioner has falsely been implicated in this  
case. From the order of the Sessions Court, it is evident that  
large number of independent witnesses in course of



investigation have stated that the deceased is said to have committed suicide. Hence, no offence under Section 304(B) of I.P.C. is made out. At best, it is a case for an offence under Section 306 of I.P.C.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/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 learned A.C.J.M. 8<sup>th</sup>, Motihari, District East Champaran in connection with Patahi P.S. case No.97 of 2018.

**(Sudhir Singh, J)**

Narendra/-

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