

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1208 of 2020

Arising Out of PS. Case No.-113 Year-2019 Thana- BISFI District- Madhubani

Raj Nandan Mahto Son of Yogendra Mahto Resident of Village - Noorchak
Kariyani, P.S.- Bisfi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Atul Chandra

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 20-03-2020 Heard learned counsel for the petitioner and
learned APP for the State.

The instant application for regular bail has been filed by the petitioner in connection with Bisfi P.S. Case no.113 of 2019/G.R. No.289 of 2019 registered for the offence punishable under sections 304B, 328 and 34 of the Indian Penal Code.

As per allegation in the FIR, the daughter of the informant was married to the petitioner about two years ago. It is stated that the accused persons including this petitioner started to torture her for getting Rs. 2 lacs by way of dowry from her parents place and also used to beat her up. They used to threaten that they would kill her. It is further submitted that the accused persons poisoned her to death and having abandoned her dead body, disappeared.

It is submitted by learned counsel for the petitioner



that the petitioner happens to be the husband of the deceased. After investigation the police found the case to be true under section 306 of the Indian Penal Code. The allegation of demand of dowry and torture by the accused persons is false and concocted and it is for this reason that the case was found to be true only under section 306 of the Indian Penal Code against the petitioner only. It is submitted that the petitioner is in custody since 29.6.2019 and the informant having come to know about the true fact, is no longer interested in pursuing the case.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the fact that the petitioner happens to be the husband of the deceased and on investigation the case has been found to be true against him, this Court is not inclined to enlarge the petitioner on bail and as such his application for bail is rejected.

The Court below is directed to expedite the trial.

(Partha Sarthy, J)

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