

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 71669 of 2019

Arising Out of PS. Case No.-216 Year-2019 Thana- SIKANDRA District- Jamui

Chhotu Mahto aged about 61 years Male Son of Late Shiv Tahal Mahto
Resident of Village-Bichway Tola Dhibra, P.S.-Sikandra, District-Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjan Parihar

For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 31-01-2020 Heard learned counsel for the parties.

The petitioner seeks bail in Sikandra P.S. Case No. 216 of 2019 registered for the offence under Section 304B/34 of the Indian Penal Code

As per the F.I.R., daughter of the informant was married to the son of the petitioner three years prior to the lodging of the F.I.R. It is alleged that subsequently son of the petitioner demanded rupees one lac from the informant and due to non-fulfillment of the same, on 02-08-2019, all the F.I.R. named accused killed informant's daughter by setting her on fire.

It is submitted on behalf of petitioner that petitioner is not named in the F.I.R. Petitioner happens to be father-in-law of the deceased. It is further submitted that at the time of occurrence, petitioner was not present at the place of



occurrence, rather he was working at some other place. It is submitted that husband of the deceased is already in custody and petitioner is rotting in jail since 03-09-2019, having no criminal antecedent. In this case, chargesheet has already been submitted.

However, counsel for the informant vehemently opposed the prayer for bail and submitted that all the F.I.R. named persons, including this petitioner, has committed the murder of daughter of the informant.

Considering the aforesaid facts and circumstances, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Jamui in connection with Sikandra P.S. Case No. 216 of 2019 on the following conditions:

“(1) Petitioner shall cooperate 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 on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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