

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86417 of 2019

Arising Out of PS. Case No.-222 Year-2019 Thana- SONBERSA District- Sitamarhi

MUKHA MAHTO S/o Late Fakira Mahto R/o village- Parchhahiya, P.S.-
Sonbersa, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar
For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 15-06-2020 The matter has been taken up through virtual court
proceeding.

Heard learned counsel for the petitioner and the State.

The petitioner, being the father of the husband of the
victim is languishing in custody since 18.11.2019 in a case
registered for the offences punishable under Sections 304B/34
of the IPC.

The prosecution case, as per the written report of
Jagarnath Mahto, submitted to the S.H.O., Sonbarsa Police
Station is to the effect that the daughter of the informant was
married with co-accused Jitendra Mahto about one and half
years prior to the lodging of the present case. On 19.09.2019,
the informant was informed by the villagers that his daughter
has died due to electrocution. Consequently, the informant went
to the in-laws' house of his daughter and found her dead. It is



alleged that due to non-fulfillment of the further dowry demand, the victim was tortured and killed by her husband and mother-in-law.

From the pleadings made in the petition, it appears that thrust of accusation of torture is against the husband and mother-in-law of the victim. The accusation against the petitioner is omnibus and general. The investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named in the FIR with specific accusation and the victim died within one and half years of the marriage.

Considering nature of accusation, the investigation already being concluded and period under custody, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned Addl. Chief Judicial Magistrate-IV, Sitamarhi in connection with Sonbarsa P.S. Case No. 222 of 2019.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail



bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties including one surety given at the time of provisional bail of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-IV, Sitamarhi in connection with Sonbarsa P.S. Case No. 222 of 2019.

The learned Court below will be at liberty to extend the further period of provisional bail if the court proceeding in physical mode will not resume in next three months.

(Dinesh Kumar Singh, J)

Amrendra/-

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