

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26293 of 2021**

Arising Out of PS. Case No.-69 Year-2020 Thana- DERNI BAZAR District- Saran

JITENDRA MAHTO @ JITENDRA KUMAR MAHATO SON OF SUKHIL
MAHTO @ RAM NARESH MAHTO R/O VILLAGE- HARIHARPUR, P.S-
DERANI, DIST- SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjani Parashar
For the Opposite Party/s : Mr.Rabindra Kumar

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 29-07-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 304(B), 201/34 of the Indian Penal Code.

As per the prosecution case, daughter of informant was married with this petitioner on 19.07.2018 and after marriage, it is alleged that all the accused persons, including this petitioner, started demanding dowry and one motor cycle and due to non-fulfillment of the same, she was subjected to torture and cruelty. It is alleged that on 01.05.2020, the victim has complained on mobile about mar-pit by this petitioner. On the next day the informant got information that his daughter was killed. On getting such information, he went to the house of the



victim where her dead body was being cremated by the petitioner.

Learned counsel appearing for the petitioner submits that petitioner happens to be the husband of the deceased and the petitioner has never demanded any dowry and due to wrong information, the aforesaid FIR has been lodged by the informant but later on when the informant came to know the true facts, the parties have compromised the case and compromise petition has already been filed in the court below. Petitioner is in custody since 29.01.2021.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case that petitioner is husband and there is specific allegation of demand of dowry and torture against the petitioner and the deceased died within seven years of her marriage in her matrimonial home, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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