

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36611 of 2021**

Arising Out of PS. Case No.-173 Year-2020 Thana- WARISNAGAR District- Samastipur

Raj Kumar Mahto @ Mithlesh Mahto Son of Late Shivji Mahto Resident of
Village - Mannipur Sari Tol, P.S.- Warisnagar, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Fakhruddin Ali Ahmad
For the Opposite Party/s : Mr.Bharat Lal

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

2. 16-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Warisnagar P.S. Case No. 173 of 2020, registered for the offence under Sections 304(B), 201/34 of the Indian Penal Code and Section 3 / 4 of the Dowry Prohibition Act.

As per the prosecution case, this petitioner alongwith other FIR named persons killed the daughter of the informant due to non-fulfillment of demand of dowry.

Petitioner is father-in-law of the deceased. There is general and omnibus allegation. Husband of the deceased is already in judicial custody. Petitioner was living separately and she had got no concern with the family affairs of deceased.



Petitioner is in custody since 23.07.2020. Chargesheet has already been submitted.

Learned counsel for the informant has vehemently opposed the bail petition and submitted that this petitioner alongwith other family members brutally killed the daughter of the informant due to non-fulfillment of demand of dowry and no intimation with regard to death of deceased was given to informant.

Considering the aforesaid facts & circumstances as well as nature of allegation, submission advanced on behalf of the parties and the fact that husband of the deceased is already in custody, the bail petition of petitioner is allowed.

Let the above named petitioner be released 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 C.J.M., Samastipur in connection with Warisnagar P.S. Case No. 173 of 2020, 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 below and shall remain physically present, as directed by the court below, 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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