

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33702 of 2020

Arising Out of PS. Case No.-117 Year-2019 Thana- CHIRAIYA District- East Champaran

SUNIL MAHATO, aged about 28 years (Male), S/o Nanhak Mahto, R/o village- Rupahara, P.S.- Sikarganj (Chiraiya), District- East Champaran.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Vijay Shankar Shrivastava, Advocate.
For the Opposite Party : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 17-02-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence registered under Sections 304(B) and 201/34 of the I.P.C.

The prosecution story, in brief, is that the daughter of the informant was married with Sunil Mahato (petitioner) about six years prior to lodging of the present case. Thereafter, the daughter of the informant was being tortured for non-fulfilment of further dowry demand by the F.I.R. named accused persons. On 17.03.2019, the informant came to know that his daughter and eight months' grand-daughter were killed by putting the house on fire.

It has been submitted by learned counsel for the



petitioner that the petitioner is in custody since 03.07.2019. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. In course of investigation, the witnesses in paragraph nos. 6,7,8 and 10 of the case diary have categorically stated that it is an accidental death by fire caught in the house due to which the wife and the daughter of the petitioner have sustained injuries. Hence, no offence under Section 302 of the I.P.C. is made out.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Sikrahana at Dhaka, East Champaran, in connection with Chiraiya P.S. Case No. 117 of 2019.

(Sudhir Singh, J)

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