

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36805 of 2020

Arising Out of PS. Case No.-158 Year-2019 Thana- PATAHI District- East Champaran

Nandkishore Mahto Son of Bhuneshwar Mahto Resident of Village - Rupani,
P.S. - Patahi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv.
For the State : Mr.Md. Shakir Ahmad APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 01-02-2021 Heard learned counsel for the petitioner and the learned APP
for the State.

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

The petitioner seeks bail in Patahi PS Case No 158 of 2019 instituted for the offence under Section(s) 304B and 201/34 of the Indian Penal Code.

The prosecution case is of setting ablaze the informant's sister on account of non fulfillment of the demand for dowry.

Petitioner's counsel submits that from perusal of the First Information report, it is apparent that the specific allegation of demand of motorcycle is against co-accused/ husband, namely Sanjit Mahto. It is further submitted that co-accused husband is also in custody. The petitioner and other family members have been implicated merely on suspicion even as per the prosecution case informant is not an eye witness and on alleged information from



local persons, the First Information report has been lodged. The petitioner is father-in-law of the victim and was away from the house at the time when the alleged occurrence has taken place. Petitioner is in custody now since 23.06.2020.

The learned APP for the State has opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, 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 the learned 8th Additional Chief Judicial Magistrate, Motihari, East Champaran, in connection with Patahi PS Case No 158 of 2019, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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