

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37828 of 2020**

Arising Out of PS. Case No.-339 Year-2019 Thana- MAHARAJGANJ District- Siwan

Dashrath Mahto @ Dasarath Mahto Son Of Late Vishwakarma Matho
Resident Of Village Pokhra, P.S. Maharajganj, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate
For the Opposite Party/s : Mr. APP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

2 05-02-2021 Let the defects be removed within four weeks.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offence punishable under Section 304B/34 of the Indian Penal
Code.

Wife of co-accused Seth Kumar died leaving behind
three children. Allegation is of demand of dowry and torture for
the same by the husband and other in-laws.

Learned counsel for the petitioner submits that co-
accused Om Prakash Mahto, the brother of the husband has
already been allowed bail by a coordinate Bench of this Court
vide order at Annexure-2. The petitioner is victim of over
implication. Investigation of the case against the petitioner is



already complete. Petitioner is elder brother of the husband.

Considering the facts aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Maharajganj P.S. Case No.339 of 2019, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

Mkr./-

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