

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3904 of 2021

Arising Out of PS. Case No.-133 Year-2018 Thana- MAHUA District- Vaishali

SANTOSH MAHTO Son of Bindeshwar Mahto Resident of Village - and
P.O.- Samaspura, P.S.- Mahua, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur, Adv.
For the Opposite Party/s : Mr. Braj Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 25-06-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 304B, 341, 323, 504/34 of
the Indian Penal Code.

Petitioner in association of his family members used
to torture the victim of non-fulfillment of dowry demand and
ultimately killed her.

Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He submits that in fact certain altercation took place
between the family and on petty matter the deceased has
committed suicide which was informed to the informant who
also arrived and in the presence of the informant dead body was



cremated but after sometime, the present case was filed. He submits that all the witnesses and family members have supported this fact that the daughter of the informant has committed suicide. He submits that petitioner has no criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 16.08.2020.

However, learned APP for the State opposes the prayer for bail and submits that petitioner is the husband of the deceased.

Considering the facts and circumstances of the case and the fact that the petitioner is the husband of the deceased, I am not inclined to enlarge the petitioner on bail. Accordingly, his payer for bail is rejected in connection with Mahua P.S. Case No. 133 of 2018 pending before the court of the learned Chief Judicial Magistrate, Vaishali at Hajipur.

Accordingly, the application is dismissed. However, trial court is directed to conclude the trial expeditiously.

(Anjani Kumar Sharan, J)

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