

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.258 of 2021**

Arising Out of PS. Case No.-157 Year-2019 Thana- BANIAPUR District- Saran

Chhotu Mahto, Son of Late Mohan Mahto, Resident of Village- Kamata, P.S.-
Bariyapur, District- Saran at Chapra

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Yugal Kishore, Advocate
For the Opposite Party/s	:	Mr. Gauri Shankar Gupta, A.P.P.
For the Informant	:	Mr. Rakesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 07-04-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Gauri Shankar Gupta, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Session Trial No. 166 of 2020 arising out of Baniyapur P.S. Case No. 157 of 2019 registered for the offences punishable under Section 304B/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the informant lodged this case against five accused persons including the petitioner for committing torture upon his daughter Lalita Devi for non fulfillment of dowry demand and



lastly she was burnt and died due to burn injury.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is the husband of the deceased and the deceased received burn injury in accidental fire while she was preparing tea.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the petitioner is the husband of the deceased, the marriage between the petitioner and the deceased had been solemnized in the year 2018 itself and within few months of the marriage the alleged occurrence had taken place at the matrimonial home of the petitioner wherein his newly wedded wife has been found totally burnt and it is alleged that the petitioner was making demand of dowry and for non fulfillment of the said demand the wife was burnt, considering the gravity of the allegations and the materials on the record, this Court is not inclined to enlarge the petitioner on bail at this stage.

Let the trial be expedited.

If the trial remains unconcluded for a period of nine months for no reason attributable to the petitioner, he may



renew his prayer for bail.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

