

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8160 of 2021**

Arising Out of PS. Case No.-101 Year-2019 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Sanjay Mahto aged about 38 years Son Of Late Rajo Mahto Resident Of
Village - Naokothi, P.S. - Naokothi, District - Begusarai

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Chandan Kumar Kashyap, Advocate
For the Opposite Party : Mr. Addl Public Prosecutor

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 24-05-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in a case registered
for the offences punishable under sections 304B/328/34 of the
Indian Penal Code.

As per the prosecution case, petitioner and his family
members subjected the informant's grand daughter to cruelty
and harassment for dowry and finally they killed her by
administering poison for non-fulfilment of dowry demand of
motorcycle.

Learned counsel for the petitioner submits that in fact
petitioner happens to be the elder brother of husband of the
deceased and he lives separately with his brother and as such he



is separate in mess and business with them. Petitioner has been implicated in this case only on suspicion. There is general and omnibus allegation against him. Petitioner is in custody since 24.9.2020. Charge sheet has already been submitted.

Learned counsel for the State opposes the prayer for bail and submits that there is allegation that the accused persons including the petitioner killed the deceased.

Considering the facts and circumstances of the case and the fact that there is general and omnibus allegation against the petitioner and he is in custody since 24.9.2020, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st class, Begusarai in Naokothi Police Station Case No. 101 of 2019 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Prabhat Kumar Singh, J)

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