

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1060 of 2020

Arising Out of PS. Case No.-59 Year-2019 Thana- BEERPUR District- Begusarai

SHAILESH MAHTO Son of Ram Chandra Mahto Resident of Village -
Khamhar (Ratanman)- Babhingama, P.S.- Birpur, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

10 12-01-2021 Heard Mr. Shubhesh Pandey, learned counsel for the

petitioner and Mr. Akshay Lal Pandit, learned Additional Public

Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with Birpur
P.S. Case No. 59 of 2019 registered for the offences punishable
under Sections 302, 201, 307/34 of the Indian Penal Code 1860
and Section 3/4 of Dowry Prohibition Act.

The allegation as per the the First Information Report
is that the petitioner due to non-fulfillment of demand of dowry,
poured kerosene oil on the body of the informant and her two
daughters and set them on fire with match stick, on account of
which, the informant and her daughters suffered severe burn
injuries and one of the daughters of the informant died.

Learned counsel for the petitioner submits that the



petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case with ulterior motive. Learned counsel further submits that wife of the petitioner (informant) is the lady of aggressive nature and due to some scuffle between petitioner and informant, on sudden provocation, the informant tried to burn herself along with her children and during that course, the petitioner along with other family members tried to save her life and children and picked the informant and rushed to the hospital along with his minor daughters for treatment. However, unfortunately, during course of treatment, one of the daughters of the informant/petitioner died. Learned counsel also submits that during course of investigation, this fact has come that the petitioner tried to save the life of the informant and his daughters and the injuries caused to the informant are simple in nature as would be evident from the injury report. Learned counsel next submits that the petitioner is in custody since 27.7.2019 and the charge sheet has already been submitted and there is no apprehension that the petitioner will abscond or tamper with the evidence.

Having regard to the submissions made by the parties and taking into consideration the materials on record, the fact that the petitioner is in custody since 27.7.2019 and charge sheet



has already been submitted as well as there is no apprehension that the petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st, Begusarai, in connection with Birpur P.S. Case No. 59 of 2019.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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