

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5453 of 2022

Arising Out of PS. Case No.-66 Year-2018 Thana- KANTI District- Muzaffarpur

MEGHNATH MAHTO @ MEGHNATH KUMAR S/o Shambhu Mahto R/o
village- Bangari, P.S.- Kanti (Panapur O.P.), District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey
For the Opposite Party/s : Mr. Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL ORDER

2 28-07-2022 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to
remove the defects within four weeks of resumption of
normal court proceedings. In the eventuality of non-removal
of defects within stipulated period, office will place the matter
before the Bench.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 304(B) /
201/ 34 of the Indian Penal Code.

The allegation against the petitioner is that the
petitioner and his family members demanded dowry and
subjected her to cruelty, assaulted and without providing food



put her on starvation, and she was prohibited to meet by her family members. The informant was subsequently intimated that his daughter has died of electrocution burnt to death.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He falsely been implicated in the instant case. It is submitted in the present case, petitioner is the husband of the deceased and petitioner has no criminal antecedent mentioned in paragraph three of the bail application. No such occurrence, in the manner as alleged, has ever taken place. There is no specific overt act against the petitioner, rather the allegation is general and omnibus in nature. The deceased died of electrocution. Several other co-accused persons have been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 02.04.2019, passed in Cr. Misc. No.2866 of 2019, and vide order dated 21.06.2019, passed in Cr. Misc. No. 15947 of 2019.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since the petitioner is the husband of the deceased I am not inclined to enlarge the petitioner on bail.



The prayer for grant of anticipatory bail on his behalf is rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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