

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8230 of 2022

Arising Out of PS. Case No.-74 Year-2021 Thana- BASANTPUR District- Siwan

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Acheylal Mahto S/o Lakhdeo Mahto Resident of Village- Lakhnaura, P.S.-
Basantpur (Lakdi Nabiganj, O.P.), District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh
For the Opposite Party/s : Mr. Bharat Lal, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 23-06-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Basantpur
(Lakdi-Nabiganj O.P.) P.S. Case No. 74 of 2021 registered for
the offence under Sections 304(B) and 34 of the Indian Penal
Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 31.08.2021.

The allegation against the petitioner is to cause death
of daughter of the informant due to non-fulfillment of dowry of
demand.

Learned counsel appearing on behalf of the petitioner



submitted that on bare perusal of the F.I.R. itself, being admitted position, that petitioner was outside home at the time of the occurrence and moreover, the petitioner, who is brother-in-law (Bhaisur), residing separately and have no connection with the family affairs of the deceased. It has further been submitted that petitioner is a man of clean antecedent and also chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State while opposing the prayer of bail fairly conceded that the petitioner was outside home at the time of occurrence.

Considering the facts and circumstances as mentioned above, as the petitioner was living separately coupled with the fact that chargesheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Basantpur (Lakdi-Nabiganj O.P.) P.S. Case No. 74 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan, subject to the following conditions:

“(i) Accused/Petitioner shall
cooperate in the trial and shall be physically



present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Chhotu Kumar Mahto, who is the brother-in-law of the petitioner and deponent of the present bail petition.”

The physical appearance of I/O of this case is dispensed with.

(Chandra Shekhar Jha, J)

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