

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16771 of 2022

Arising Out of PS. Case No.-104 Year-2020 Thana- GHORASAHAN District- East
Champaran

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MAHANTH MAHTO Son of Sohrai Mahto Resident of village - Tonwa, P.S.-
Ghorasahan (Jharokhar), District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-07-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Ghorasahan (Jharokhar) P.S. Case No. 104 of 2020 registered
for the offence under Sections 306 and 34 of the Indian Penal
Code.

The petitioner along with others are stated to have
forced the daughter of the informant to consume poison,
resultantly, she died.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that
the petitioner happens to be the father-in-law of the deceased



and he has no concern with the internal affairs of the deceased and his son. He further submits that the petitioner has never assaulted nor tortured the deceased in any manner. He further submits that as a matter of fact the deceased was having illicit relation with one Santosh Shah and on account thereof the husband of the deceased made protest and on being so, the deceased has committed suicide by consuming poison.

Learned counsel for the petitioner submits that the husband and brother-in-law of the deceased have been granted bail vide order dated 17.11.2021 in Cr. Misc. No. 24192 of 2021. The petitioner is rotting in judicial custody since 28.03.2021.

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

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Ghorasahan (Jharokhar) P.S. Case No. 104 of 2020 with 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 canceled 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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