

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19084 of 2022

Arising Out of PS. Case No.-73 Year-2021 Thana- KATHAIYA District- Muzaffarpur

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MUNNA MAHTO S/o Late Fudan Mahto @ Kundan Mahto Resident of
Village- Patti Aswari, P.S.- Kathaiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anjana

For the Opposite Party/s : Mr.Raj Kishore Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 22-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Kathaiya P.S. Case no. 73 of 2021 instituted for the offence
punishable under Sections 304(B), 201/34 of the Indian Penal
Code.

As per allegation in the FIR, marriage of daughter of
the informant was solemnized with the petitioner in the year
2017 and due to non-fulfillment she was subjected to torture in
different ways. Ultimately, she was done to death and with a
view to wipe off the evidence, her dead body was recovered on
next day from a bush.

Learned counsel appearing on behalf of the petitioner



has submitted that petitioner is innocent and has committed no offence. She herself consumed Salphas Tablet and during course of treatment she died. It is further submitted by learned counsel for the petitioner, that prosecution side taken the dead body of the deceased for cremation in their custody forcefully so allegation of throwing the dead body as mentioned in the FIR is contradictory.

Learned APP appearing for the State has opposed the prayer of bail and submitted that daughter of the informant was done to death within seven years of marriage. She died unnaturally. Petitioner is husband of the deceased and he is ample responsible to maintain her with honour and dignity. During course of investigation, several witnesses have supported the prosecution story.

Having heard learned counsel for the parties and considering the fact that petitioner is husband of the deceased and she died un-natural death within seven years of her marriage, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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