

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43385 of 2021

Arising Out of PS. Case No.-110 Year-2020 Thana- MAHINDWARA District- Sitamarhi

CHHOTE LAL MAHTO Son of Ramchandra Mahto Resident of Village -
Gidh Fulvariya, P.S. - Mahindwara, District - Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ranjeet Kumar Mishra, Adv.
For the State	:	Mr.Ashok Kumar, APP
For the Informant	:	Mr. Santosh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 15-02-2022 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and the learned APP for the State, Sri Ashok Kumar as also the learned counsel for the informant, Sri Santosh Kumar.

The petitioner seeks regular bail in connection with Mahindwara P.S. Case No. 110/20, registered for the offence punishable under Sections 341, 323 and 304(B)/34 of the Indian



Penal Code.

The allegation is regarding the accused persons including the petitioner herein having tortured the deceased victim lady on account of non-fulfillment of demand of dowry and ultimately, she was killed by the accused persons by strangulating her.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 9.4.2021. The learned counsel for the petitioner has further submitted that the petitioner is the father-in-law of the deceased victim lady, however, the fact is that the husband of the deceased victim lady has already been granted bail by a coordinate Bench of this Court vide order dated 5.8.2021 passed in Criminal Miscellaneous No. 27452 of 2021.

Per contra, the learned counsel for the informant, Sri Santosh Kumar and the learned APP for the State, Sri Ashok Kumar, have



vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the husband of the deceased victim lady, who has already been granted bail by a coordinate Bench of this Court, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Mahindwara P.S. Case No. 110/20.

(Mohit Kumar Shah, J)

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