

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40053 of 2022

Arising Out of PS. Case No.-451 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

Mahendra Mahto S/o Dev Nath Mahto, R/o village- Akara, P.S.- Hajipur Sadar, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishore Prasad, Adv.

For the Opposite Party/s : Mr. Binod Kumar No.3, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 20-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Hajipur Sadar P.S. Case No. 451 of 2021, lodged under Sections
304(B)/34 of the Indian Penal Code.

As per prosecution case, the allegation of killing of
deceased for demand of dowry by strangulation has been made
in the F.I.R. wherein petitioner is the husband and deceased is
wife.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that the allegation of demand of vehicle in dowry and
assault to the deceased in the matrimonial home is not correct.

He also submits that it has come in the investigation that death has been caused due to strangulation of her neck with plastic rope and it is a case of suicide, not a case of murder. Learned counsel submits that petitioner was working outside the place where the death of deceased caused. He further submits that petitioner is in custody since 19.07.2021 and his antecedent is clean.

Learned counsel for the State opposes the prayer for bail and submits that there was continuous demand of dowry, allegation of cruelty at the matrimonial home at the hand of husband are there in the F.I.R. as well as in the investigation.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present, therefore, his bail application is hereby **rejected**, but he may renew his prayer for bail after one year from the date of passing of this order.

Learned Trial Court is directed to expedite the matter as early as possible.

(Dr. Anshuman, J.)

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