

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43380 of 2022

Arising Out of PS. Case No.-55 Year-2021 Thana- KHIRHAR District- Madhubani

Mahendra Khatway Son of Ramakhelavan Khatway Resident of village-
Sonai, P.s- Khirhar, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary, Advocate

For the Opposite Party/s : Mr. A.G., A.P.P.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 23-11-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Khirhar P.S. Case No. 55 of 2021 registered for the offences
punishable under Sections 304(B) and 120(B) of the Indian
Penal Code.

As per the prosecution, the informant's daughter was
subjected to torture for the demand of a colour T.V. and a
buffalo by this petitioner and his family members and finally
they strangled the victim to death on account of their demand
having been not fulfilled by the victim.



The main submissions advanced by learned counsel Mr. Murari Narain Chaudhary appearing for the petitioner are that the petitioner is father-in-law of the deceased and he has been falsely implicated in this case with an ulterior motive, in fact the petitioner's co-villagers namely Ajeet Kumar Khatve and Ram Lal Khatve abducted the daughter-in-law (victim) of the petitioner for which Khirhar P.S. Case No. 54 of 2021 was lodged and that case was found true by the police after investigation and as the daughter-in-law of the petitioner was abducted by the said villagers and they killed the victim after abduction so after getting the knowledge of the said facts the informant appeared before the police for supporting the said facts.

Learned APP Mr. A.G. appearing for the State has opposed the bail prayer.

In view of the above submissions and mainly considering the petitioner's custody period and also the fact that he is stated to be father-in-law of the deceased and in the FIR against him there is no specific allegation of dowry demand and the informant simply raised suspicion against the petitioner and the co-accused person, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let



the 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 concerned Court in Connection with
Khirhar P.S. Case No. 55 of 2021.

(Shailendra Singh, J.)

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