

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46831 of 2022

Arising Out of PS. Case No.-110 Year-2020 Thana- BALTHAR District- West Champaran

ANIL MAHTO Son of Late Jaleshwar Mahto, Resident of Village - Bhawari
(Bhauri), P.S.- Balthar, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr.Satya Nand Shukla

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 07-12-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner as well as

the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection

with Balthar P.S. Case No. 110 of 2020, registered for the

offences punishable under Section 304(B)/34 of the Indian

Penal Code.

As per allegation, Ms. Sharda Devi (since deceased)

was married to Sunil Mahto, brother of the petitioner in the year

2019. The husband and his family members subjected her to

cruelty for non-fulfillment of demand of dowry of



Rs. 1,00,000/- cash. On 15.12.2020, the informant got an information that the accused persons strangled to death Sharda Devi.

The learned counsel for the petitioner has submitted that the petitioner is brother-in-law of the husband of the deceased having no concern with day-to-day affairs of the couple and he resides separately with his wife Anju Kumari. The wife of the petitioner Anju Kumari has been granted anticipatory bail by a Co-ordinate Bench of this Court in Criminal Miscellaneous No. 46205 of 2022, vide order dated 23.11.2022 and the petitioner is under custody since 14.12.2021.

Considering the above-mentioned facts and circumstances as well as the period of incarceration, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-III, Bettiah, West Champaran in connection with Balthar P.S. Case No. 110 of 2020, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) If the petitioner is found involved in future in the



similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

Nirmal/Mahesh

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