

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61652 of 2021**

Arising Out of PS. Case No.-33 Year-2021 Thana- MADHUBANI TOWN District-
Madhubani

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Bishwanath Mahto Son of Late Rajendra Mahto Resident of Village -
Suratganj, Nilam Chauk, Ward No. 14, P.S. - Madhubani Town, District -
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ravi Prakash
For the Informant	:	Mr. Subhash Kr. Jha
For the Opposite Party/s	:	Mr.Satyadeo Singh Yadav

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 29-03-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Madhubani Town P.S.
Case No. 33 of 2021, registered for the offence punishable
under Sections 302, 304(B) and 34 of the Indian Penal Code and
section 3/4 of the Dowry Prohibition Act.

As per the prosecution case, this petitioner along with
other co-accused persons killed the daughter of informant by
strangulation due to non-fulfillment of demand of dowry.
Petitioner is husband of the deceased.

It is submitted on behalf of the petitioner that
petitioner is innocent and has committed no offence. No such



occurrence has ever taken place and there was no demand of dowry by the petitioner. There is general and omnibus allegation and no specific overt act has been raised against this petitioner. As per the inquest report, there is no sign of strangulation around the neck of deceased. Petitioner is in custody since 04.02.2021 having no criminal antecedent.

Learned APP however, vehemently opposed the prayer for bail.

Considering the facts aforesaid and the nature of allegation and the fact that petitioner is husband of the deceased and deceased died in unnatural circumstance within seven years of marriage at her matrimonial home, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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