

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63348 of 2021

Arising Out of PS. Case No.-101 Year-2019 Thana- NOWKOTHI GARHPURA District-
Begusarai

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MITHILESH MAHTO Son of Late Rajo Mahto Resident of Village -
Nowkothi, P.S.- Nawkothi, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 10-05-2022 Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the
offence under Section 304(B), 328, 34 of the Indian Penal Code
and Sections 3 & 4 of the Dowry Prohibition Act.

As per the prosecution case, this petitioner alongwith
his family members committed torture and killed the daughter
of the informant due to non-fulfillment of demand of dowry.

It is submitted on behalf of petitioner that petitioner
happens to be husband of the deceased and at the time of
occurrence, he was not present at the place of occurrence.
Petitioner, being a truck driver, was working in Asansole. It is
next submitted that petitioner never demanded any dowry or
committed torture. The allegations are general and omnibus in
nature. There is no eye-witness to the occurrence and he is in



custody since 06.03.2021.

However, learned A.P.P. for the State opposed the bail petition and submitted that petitioner is husband of deceased and there is specific allegation of demand of dowry. Deceased has died in an unnatural circumstances within seven years of marriage.

Considering the nature and gravity of offence and the fact that petitioner is husband of the deceased and there is specific allegation of torture and demand of dowry, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected. However, since the petitioner is in custody, the learned trial court is directed to expedite the trial and conclude the same as early as possible.

(Prabhat Kumar Singh, J)

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