

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64963 of 2021

Arising Out of PS. Case No.-111 Year-2019 Thana- JALE District- Darbhanga

SANTOSH MAHTO Son of laxman Mahto Resident of Village - Subhash
Chouk Jalley, P.S.- Jalley, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 30-03-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Sessions Trial No. 464/2010 arising out of Jalley P.S. Case No.
111 of 2019 registered for the offences punishable under
Sections 304(B)/34 of the Indian Penal Code.

This is second attempt for grant of regular bail on
behalf of the petitioner inasmuch as earlier the bail application
of the petitioner was rejected by this Court vide order dated
09.03.2021 passed in Cr. Misc. 35433 of 2020 with liberty to
renew his prayer for grant of regular bail after six months if the
trial does not conclude.

This is a case of dowry death and the petitioner is
husband. The allegation against the petitioner is that within one



year of marriage, the wife of the petitioner has been burnt to death in her matrimonial home due to non-fulfillment of demand of dowry of Rs.2,00,000/-. The bail application of the petitioner was earlier rejected on its own merit.

This Court vide order dated 24.11.2021 had called for a report from the trial court regarding stage of trial and in pursuance thereof, the report of learned 5th Additional District & Sessions Judge, Darbhanga, dated 27.11.2021 is on record and from perusal of the same, it appears that the trial court has given the estimated time for conclusion of the trial within nine months.

Since the bail application of the petitioner was earlier rejected on its own merit, I am not inclined to grant bail to the petitioner at this stage.

Accordingly, the prayer for bail of the petitioner stands rejected.

However, the petitioner may renew his prayer for bail after nine months if the trial does not conclude.

(Anil Kumar Sinha, J)

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