

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65485 of 2021

Arising Out of PS. Case No.-203 Year-2016 Thana- ATRI District- Gaya

Chhotu Mahto @ Chhote Lal Mahto @ Chhotelal Mahto S/o Ramswaroop
Mahto Resident of Village- Losidhani, P.S.- Atari, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Anjani Pd. Singh

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 15-04-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State through video conferencing.

The petitioner seeks bail in Atari P.S. Case No. 203 of 2016, registered for the offence punishable under Sections 498(A), 304(B), 120(B) of the Indian Penal Code and section 3/4 of the Dowry Prohibition Act.

As per the FIR, marriage of informant's daughter was solemnized with petitioner six years ago. After marriage all the accused persons including this petitioner started demanding dowry and subjected the daughter of informant to torture and cruelty, as a result of which she committed suicide.

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. As a matter of fact, the daughter of informant committed suicide for which one UD case has been lodged bearing UD Case No. 02 of 2016 by the local Choukidar on 17.06.2016. The police after investigation submitted chargesheet under Section 306 IPC. Petitioner is in custody since 27.07.2021 having no criminal antecedent.

Learned APP however, vehemently opposed the prayer for bail there is direct and specific allegation of demand of dowry, torture and cruelty upon the deceased as a result of which she committed suicide. Petitioner is husband of the deceased.

Considering the facts aforesaid and the nature of allegation and the fact that petitioner is husband of the deceased, 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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