

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4425 of 2020

Arising Out of PS. Case No.-213 Year-2019 Thana- UDAKISHUNGANJ District-
Madhepura

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JITENDRA KUMAR MAHTO @ JITENDRA KUMAR @ AWRO MAHTO
Son of Kailash Mahto Resident of Village - Uda, P.S.- Uda-Kishunganj,
District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar, Advocate

For the Opposite Party/s : Mrs.Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 13-02-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and the learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Section 304 (B) of IPC.

The accusation is of killing the daughter of the
informant for non-fulfillment of dowry demand.

Learned counsel appearing for the petitioner submits
that the petitioner has clean antecedent. He has falsely been
implicated in the present case. He further submits that the
petitioner is husband of the deceased. It appears from the FIR
that there is general and omnibus allegation against all the
accused persons including the petitioner and there is no
allegation of any assault or overt-act against the petitioner and



the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 14.10.2019.

Learned A.P.P. for the State and learned counsel for the informant, on the other hand, have vehemently opposed the prayer for bail of the petitioner and learned counsel for the informant, on the basis of instruction, submits that the trial is going on.

Considering the aforesaid facts and period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Uda-Kishunganj P.S.Case No.213 of 2019 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall



verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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