

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16503 of 2023

Arising Out of PS. Case No.-343 Year-2021 Thana- UDAKISHUNGANJ District-
Madhepura

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MANOJ MAHTO SON OF DOMI MAHTO R/O VILLAGE- TELDIH,
WARD NO.06, PS.- UDAKISHUNGANJ, DISTRICT- MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad, Adv.
For the Opposite Party/s : Mr.Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 30-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Udakishunganj P.S. Case No. 343 of 2021 registered for the
offence under Sections 201, 304(B) and 34 of the Indian Penal
Code.

The daughter of the informant is subjected to assault
and torture on account of non-fulfillment of demand of dowry by
the petitioner and others and she has finally been done to death
for want of dowry and her dead body has been cremated.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that
the allegation, as alleged in the F.I.R., is false and fabricated and



the petitioner has not committed any offence. He further submits that on bare perusal of the F.I.R., it appears that the occurrence is alleged to have been committed on 17.11.2021 whereas the instant F.I.R. has been lodged on 22.11.2021 after delay of five days without any explanation. He further submits that as a matter of fact, the deceased accidentally fell down and she died due to sudden heart attack. He further submits that the petitioner has not committed any wrong with the deceased. He further submits that no one from the family of the petitioner has demanded any dowry with the deceased in any manner. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 02.08.2022.

Learned A.P.P. for the State on the basis of material available on record and the case diary vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner, who happens to be husband of the deceased and is responsible for death of her wife. He further submits that the dead body of the deceased has been cremated without informing the family members of the deceased and even no one has informed about the sudden death of the deceased to the police. He further submits that the police has after investigation finding the case to be true submitted charge sheet against the petitioner.



Considering the facts and circumstances of the case and the rival submission of the parties and the nature of offense and the accusation against the petitioner, this Court is not inclined to grant the privilege of bail to the petitioner. Accordingly, the prayer for bail of this petitioner is rejected.

(Rajesh Kumar Verma, J)

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