

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26190 of 2023**

Arising Out of PS. Case No.-45 Year-2021 Thana- MEDNI CHAUKI District- Lakhisarai

SHATRUDHAN BIND SON OF REMAL MAHTO @ RAIMAL MAHTO @  
REWAL BIND R/O VILLAGE- KHAWA CHAND TOLA, P.S.-  
MEDNICHOWKI, DISTRICT- LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Jai Ram Prasad, Advocate

For the Opposite Party/s : Mr. Binod Kumar No.3, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

- 4      28-06-2023                      1.            Heard learned counsel for the petitioner and  
learned APP for the State.
2.            Petitioner seeks regular bail in connection  
with Sessions Trial No.26 of 2022 arising out of Mednichowki  
P.S. Case No.45 of 2021 dated 26.03.2021 registered for the  
offence(s) punishable under Section(s) 304/34 of the Indian  
Penal Code
3.            This is second attempt of the petitioner for  
the relief of regular bail after his earlier prayer for the same  
relief was rejected by this Bench vide order dated 19.07.2022  
passed in Cr. Misc. No. 20366 of 2022 preferred by this  
petitioner and now the petitioner has come again for the same  
relief.



4. As per the allegation, the informant's daughter was tortured by petitioner and his family members for the demand of Rs. One Lakh and thereafter on 26.3.2021 the informant was informed that his daughter had committed suicide and then the informant along with his family members rushed to his daughter's *sasural* and suspected that his daughter had been strangled to death by the accused persons including the petitioner on account of their demand of dowry having not been fulfilled by the victim.

5. The fresh grounds taken by the petitioner in the present petition are that four material witnesses of the prosecution have been examined out of them two were examined after the rejection of petitioner's earlier prayer and both the said witnesses have not supported the prosecution's case and the second ground is the petitioner's long judicial custody which has been about two years and three months and thirdly, there is no chance of completion of petitioner's trial in coming days as out of nine prosecution witnesses only four witnesses have been examined till today and the prosecution is very slow in producing and examining the prosecution witnesses. It is further submitted that the victim, who happened to be wife of this petitioner, committed suicide and the petitioner and his family members informed the prosecution party regarding the alleged occurrence, in fact the deceased was



literate woman while petitioner is an illiterate person, due to which the deceased did not like the petitioner which was the main reason for committing suicide.

6. Learned APP appearing for the State opposes the bail prayer.

7. Though there is a serious allegation against this petitioner but considering his custody period which has been about two years and three months and out of nine prosecution witnesses only four witnesses have been examined till date and there is no chance of early conclusion of the petitioner's trial, in the opinion of this court, in the present circumstances the petitioner now deserves to a lenient approach of this court. Accordingly, let the petitioner 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 the concerned Court in connection with Sessions Trial No.26 of 2022 arising out of Mednichowki P.S. Case No.45 of 2021.

**(Shailendra Singh, J)**

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