

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31511 of 2023

Arising Out of PS. Case No.-110 Year-2020 Thana- BALTHAR District- West Champaran

Sunil Kumar @ Sunil Mahto Son Of Late Jaleshwar Mahto Resident Of
Village- Bhauri, Ps- Balthar, Distt- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. nuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-06-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

The petitioner seeks bail in connection with Balthar
P.S. Case No. 110 of 2020 registered for the offence under
Section 304-B/34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 14.12.2021.

The allegation against the petitioner is to cause death
of daughter of the informant alongwith co-accused
persons/family members due to non-fulfillment of demand of
dowry as raised for cash of Rs. 1,00,000/- (Rupees One Lac
Only) and one golden chain.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner implicated falsely with present case as



no such ever demand of dowry as alleged was raised by petitioner and, if so, as per the narration of F.I.R. same is appearing very much general and omnibus. It is submitted that out of normal matrimonial discord wife of petitioner, being short tempered women, committed suicide. It is further submitted that the act of petitioner is not suggesting that it is so direct and active which may force deceased to commit suicide leaving otherwise no other option. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail petitioner is the husband. It is also submitted that charge has already been framed.

Considering the facts and circumstances as mentioned above, as nothing surfaced during the course of investigation which may suggest that the act of petitioner is so active or direct to force his wife to commit suicide leaving no other option, coupled with the fact that charge-sheet has already been submitted, where petitioner is in custody since 14.12.2021, accordingly, the petitioner, above named, is directed to be



released on bail in connection with Balthar P.S. Case No. 110 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-V, Bettiah, West Champaran/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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