

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33453 of 2023

Arising Out of PS. Case No.-27 Year-2023 Thana- BALIGAON District- Vaishali

=====

RAM SOGARATH MAHTO @ SOGARATH MAHTO son of Sonelal Mahto
Village- Champapur Agrail Khurd Ps- Baligaon Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Md. Anbzarul Haque Sahara, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-06-2023 Heard learned counsel appearing on behalf of the parties.

The petitioner seeks bail in connection with Baligaon P.S. Case No. 27 of 2023 registered for the offence under Sections 341, 323, 504, 506, 307, 498(A) and 285/34 of the Indian Penal Code and Section 3/4 of D.P. Act.

The accused/petitioner is named in the F.I.R. and is in custody since 24.04.2023.

The allegation against the petitioner is to commit cruelty upon informant and also to made an attempt to kill her by putting her on fire after pouring kerosene oil along with other co-accused persons/family members, due to non-fulfillment of demand of dowry, as raised for 04 wheeler vehicle, fridge, washing machine, etc.



Learned counsel appearing on behalf of the petitioner submitted that petitioner is father-in-law and living separately having no connection with daily and domestic affairs of informant and her husband. It is submitted that specific allegation to put kerosene oil and to put informant on fire is available against other co-accused persons i.e. mother-in-law and *Gotni*, as it is appearing from narration of FIR itself. It is submitted that no specific overt act attributed against this petitioner and as far demand of dowry is concerned, same is very much general and omnibus against this petitioner. While concluding the argument, it is submitted that petitioner found involved in one more case, where, he is on bail and moreover, investigation of this case has completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above and by taking note of fact as petitioner is father-in-law, having no allegation of specific overt act, coupled with the fact that charge-sheet has already submitted, where, petitioner is in custody since 24.02.2023, let the petitioner, above named, is



directed to be released on bail in connection with Baligaon P.S. Case No. 27 of 2023, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IInd, Vaishali at Hajipur/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C. with further condition that:

“(i) That petitioner shall not interact with informant / victim during the trial in any manner or to influence any witness, failing which, the learned Trial Court itself shall be at liberty to cancel the bail bond of the petitioner.

(ii) That petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(iii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and



exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(iv) That one of the bailors of the petitioner shall be deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

S.Katyayan/-

U		T	
---	--	---	--

