

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33812 of 2022

Arising Out of PS. Case No.-275 Year-2021 Thana- BATHNAHA District- Sitamarhi

NANDU MAHTO @ NANDU KUMAR Son of Gagandeo Mahto @ Gannu
Mahto Resident of Village - Ranauli, P.s.- Bathnaha, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 16-03-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 304B/34 of the Indian
Penal Code and Section 3/4 of Dowry Prohibition Act.

This case relates to dowry death due to non-fulfill-
ment of further dowry demand by setting fire to the sister of the
informant. The alleged occurrence took place within seven years
of love marriage.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is husband of the deceased and has
been falsely implicated in this case. Prior to the alleged occur-
rence, there is no information or complain regarding torture or
harassment by the petitioner even if they have not given infor-



mation about burning of the deceased at the alleged date of occurrence. As per postmortem report, cause of death is due to septicemic shock leading to CR failure. It is further submitted by learned counsel for the petitioner that victim died accidental death while she was cooking food. She was taken to hospital by family members from where she was released on 22.10.2021 but due to septicemia, she died on 26.10.2021. Petitioner is languishing in judicial custody since 31.02.2022.

Learned APP appearing for the State and learned counsel for the informant has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, Sitamarhi in connection with Bathnaha P.S. Case No. 275 of 2021.

(Sunil Kumar Panwar, J)

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