

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55165 of 2023

Arising Out of PS. Case No.-232 Year-2023 Thana- DHANARUA District- Patna

Ramu Mahto @ Rambabu Mahto, Son Of Late Sahtu Mahto R/O Vill-Satparsi, Ps- Dhanarua, Dist- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Maruti Kumari, Advocate
For the State	:	Mr. Ram Anurag Singh, APP
For the Informant	:	Mrs. Minakshi Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-09-2023 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel for the informant.

2. In this case, the petitioner is apprehending his arrest in connection with Dhanarua P.S. Case No. 232 of 2023, registered for the offences under Sections 341, 323, 308 and 504/34 of the Indian Penal Code.

3. As per prosecution case, petitioner is the father-in-law of the daughter of the informant. Allegation against co-accused son of the petitioner is that he used to torture and treat the daughter of the informant with cruelty under the influence of drugs and liquor. Further allegation against co-accused son of the petitioner that he administered some poisonous substance to the daughter of the informant who died during her treatment. Allegation against the petitioner is that he tried to stop the informant and his wife from taking away their daughter to the



doctor for treatment.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The marriage of the daughter of the informant and the son of the petitioner was solemnized ten years back and they are having two children. During this period no complaint was made by the daughter of the informant. The daughter of the informant died due to diarrhea and the allegations are false and concocted that she was administered any poisonous substance. The FIR was lodged merely on suspicion and compromise has been made between both the parties and a compromise petition has been filed on 07.07.2023. There is no specific allegation against the petitioner for any wrong doing. Whatever be the allegations, the same are against co-accused son of the informant. Learned counsel further submits that co-accused son of the informant has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 30.08.2023 passed in Cr. Misc. No. 56073 of 2023.

5. Learned APP opposes the prayer for anticipatory bail made on behalf of the petitioner. Learned counsel for the informant accepts the factum of compromise between the parties.



6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the distinct lack of cogent material against the petitioner and further considering the possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Masaurhi/ court concerned in connection with Dhanarua P.S. Case No. 232 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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