

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56377 of 2023

Arising Out of PS. Case No.-232 Year-2020 Thana- AWTARNAGAR District- Saran

GODHAN MAHTO son of Late Rameshwar Mahto Village- Pratappur Ps-
Awtarnagar Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhijeet Abhigyan, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 29-08-2023 Heard Mr. Abhijeet Abhigyan, the learned counsel
for the petitioner and the State.

The petitioner is in judicial custody in connection with Awtarnagar P.S. Case No. 232 of 2020 for the offence punishable under Sections 304(B)/34 of the Indian Penal Code lodged on 20.9.2020 by the informant, Ravi Mahto.

As per the prosecution story, the allegation is that the victim lady, the daughter of the informant was married to Narayan Mahto but was regularly tortured for dowry and later came to know about her death which followed the FIR.

It is the case of the petitioner that he is an aged person, 73 years of age, do not have criminal antecedent, living separately, have no role to play and has remained in custody since 2.4.2023 (para-11 of the petition). The further submission



is that the husband Narayan Mahto has been granted bail under section 167(2) of the Cr.P.C..

Learned APP opposes the prayer for bail.

Considering the aforesaid submission put forward by the learned counsel for the petitioner as also that he is an aged person, has remained in custody since 2.4.2023, FIR lodged and ultimately will have to face the trial, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate,-1st Class, Chapra, in connection with Awtarnagar P.S. Case No. 232 of 2020 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

Ravi/-

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