

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61975 of 2023

Arising Out of PS. Case No.-13 Year-2023 Thana- KISHANGAANJ RAIL P.S. District-
Katihar

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Santosh Mahto @ Santosh Kumar Mahto Son Of Late Sukhdeo Mahto
Resident Of Mohalla - Qrt No. E/129 A, Railway Colony, P.S. And District -
Kishanganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Sinha, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehend his arrest in a case registered
for the offence punishable u/s 304(B)/34 of the IPC.

3. As per the prosecution case, daughter of the informant
has been killed by F.I.R. named accused persons including the
petitioner due to non-fulfillment of demand of dowry.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to grudge. No such
occurrence, in the manner as alleged, has ever taken place.
Petitioner is the brother-in-law of the deceased. The allegation
leveled against the petitioner is not specific rather general and



omnibus in nature. He has never made any dowry demand and he was living separately from the deceased. It is also submitted that husband of the deceased is already in judicial custody, which is mentioned at para 7 of the bail petition. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, since husband of the deceased is already in custody, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Rail Kishanganj P.S. Case No.13 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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