

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27186 of 2024

Arising Out of PS. Case No.-29 Year-2023 Thana- SANJHOLI District- Rohtas

Sunil Kumar @ Sunil Mahto Son Of Vijay Kumar Singh @ Vijay Singh @
Saheb Mahto Resident Of Village- Basaura Ward No. 5, Ps- Sanjhauli, Distt-
Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Kumar Mehta, Advocate
For the APP : Mr. Ran Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 30-08-2024 Heard the learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner seeks regular bail in connection with
Sanjhauli P.S. Case No.29 of 2023, registered for the offence
punishable under Sections 302, 201 and 34 of the Indian Penal
Code.

3. The allegation is regarding the daughter of the
informant, who is wife of the petitioner, having informed her
father i.e. the informant of the present case, on her mobile
phone on 01.03.2023, at about 6 a.m. in the morning that her
husband is assaulting her, whereafter the informant and his
family members had gone to the matrimonial house of his
daughter, however they had found the door of the house locked



and when the informant had asked the neighbors about the whereabouts of his daughter, they told him that they had gone to Dr. Shukla Clinic, however, when they had gone to the clinic of Dr. Shukla, they were informed that since the patient was serious, he had advised them to take the patient to Ghopanpur Hospital. It is further alleged that the informant had then gone to the Ghopanpur Hospital, but could not find her daughter and son-in-law, whereupon search was made and the dead body of the daughter of the informant was found lying in water at Charpurawa Tola.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner further submits that the petitioner is languishing in custody since 10.09.2023 and there is scant progress in the ongoing trial as also the P.W.1 has not deposed against the petitioner in the ongoing trial.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail and has submitted that the petitioner is the husband of the deceased-victim lady and he has killed the deceased-victim lady on account of non-fulfillment of demand for dowry and the said fact is not only



apparent from the case-diary, which has been called by this Court, but also stands corroborated from the post-mortem report.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record, this Court finds that ample materials are available on record as also in the case-diary to *prima facie* show that the petitioner is having complicity in the alleged occurrence of killing his wife on account of non-fulfilment of demand for dowry, hence, I am not inclined to grant bail to the petitioner, thus, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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