

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49233 of 2024**

Arising Out of PS. Case No.-517 Year-2023 Thana- PHULPARAS District- Madhubani

GORAKHNATH MAHTO SON OF LATE VISHWANTH MAHTO R/O-
VILLAGE- KAMTAULIYA, P.S.- LADANIYA, DISTT.- MADHUBANI

... .. PETITIONER/S

VERSUS

1. THE STATE OF BIHAR
2. KANCHAN KUMARI D/O- SATYA NARAYAN MAHTO R/O-
VILLAGE- BALUA, P.S.- PHULPARAS, DISTT.- MADHUBANI

... .. OPPOSITE PARTY/S

Appearance :

For the Petitioner/s	:	Mr. Bhavesh Sah, Advocate
For the Opposite Party/s	:	Mr. Yogendra Kumar Singh, APP
For the informant	:	Arvind Kumar , Advocate Dinesh Kumar , Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-08-2024 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 498A and 34 of the
Indian Penal Code and $\frac{3}{4}$ of D. P Act.

3 . As per the prosecution case, daughter of the
informant solemnized marriage with co-accused Lakhan Mahto
in the year 2023 according to Hindu rituals and this petitioner



came to the house of informant on tempo for “*Bidai*” as soon as tempo reached near boba Asthan , this petitioners along with other co-accused persons and stopped the tempo assaulted the daughter of informant with stick and snatched cash and gold.

4. Learned counsel for the petitioner submits that no occurrence as alleged in the F.I.R., has taken place and entire prosecution case is false and concocted. As a matter of fact, there is matrimonial dispute between daughter of informant and his husband and due to that both of them are living separately. Petitioner is father-in-law of the daughter of informant and he is separate in mess and property and has got no concern with the affairs of the couple . Only with a view to put pressure and harass the petitioner, he and his family members have been made accused. Petitioner claims clean antecedent.

5 . Learned counsel for the State as well as informant opposed the bail petition .

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let this petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M- 2nd Jhanjharpur Madhubani in connection



with Phulparas P . S. Case No . 517 of 2023 , subject to the conditions laid down under section 438 of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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