

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54193 of 2024

Arising Out of PS. Case No.-243 Year-2023 Thana- MOTIPUR District- Muzaffarpur

Chandan Mahto @ Chandan Kumar Son Of Ashok Mahto Village- Sadha
Darbar, Naya Tola, Ps- Motipur, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Jha, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 27-09-2024 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Motipur P.S. Case No. 243 of 2023 instituted for the offence
under Section 304B/34 of the Indian Penal Code.

3. Prosecution case in short is that petitioner along
with other family members, have killed the daughter of the
informant for non-fulfillment of demand for dowry.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 31-07-2023. Petitioner is a
man of clean antecedent.

5. It has been further submitted by the petitioner's
counsel that petitioner has been falsely implicated in the present



case. After investigation, police has submitted charge sheet for the offences under Section 304B/34 of the IPC. Petitioner is the husband of the deceased. It is submitted that petitioner has never made any demand of dowry or have tortured or assaulted the deceased. It is submitted that petitioner was not present at the time of occurrence. Mother-in-law and father-in-law of the deceased have been enlarged on regular bail by this Court *vide* order dated 13-03-2024, passed in Cr. Misc. no. 16592 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted by referring to paragraph Nos. 2, 3, 4, 33, 34 of the case diary that prosecution witnesses have supported the prosecution case.

7. Considering the aforesaid facts and circumstances of the case and period of custody of the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, *after framing of charge, if not already framed*, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Motipur P.S. Case No. 243 of 2023, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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