

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63110 of 2024

Arising Out of PS. Case No.-9 Year-2010 Thana- CHAUSA District- Madhepura

Binod Mahto son of Late Chhedi Mahto Resident of village- Ghausai PS
-Chausa District -Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Barun Kumar Singh, Advocate
		Mr. Kumar Praveen, Advocate
For the Opposite Party/s	:	Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

4 28-10-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Chausa P.S. Case no.9 of 2010 registered under sections 304B, 201 and 34 of the Indian Penal Code.

3. As per the prosecution case, it is stated by the informant that his sister who was married to the petitioner herein was tortured for non-fulfillment of the demand of dowry. All the accused persons including the petitioner herein killed the informant's sister and disposed off the body.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only for the reason of his being the husband of the informant's sister who disappeared on 1.2.2010 at about 11 p.m. and information with respect to whom was soon thereafter given by the petitioner, a



copy of the said petition having been brought on record at page 19 to the petition. It was for the reason that the petitioner was searching for his wife that there was delay in moving the anticipatory bail. However, on the same being rejected by order dated 9.9.2020, the petitioner surrendered thereafter.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR, the petitioner being the husband of the sister of the informant, the FIR with respect to the murder/disappearance of his sister having been lodged by the informant in February, 2010, there being no receipt etc. of the so called petition dated 25.2.2010 (at page 19) filed by the petitioner and the petitioner having surrendered in the learned trial Court nearly four years after rejection of his application for anticipatory bail by this Court and 13 years after lodging of the FIR, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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