

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70333 of 2024

Arising Out of PS. Case No.-84 Year-2024 Thana- BIHARIGANJ District- Madhepura

Pappu Mahto Son of Raju Mahto R/o Village- Laxmipur Lalchand, P.S-
Bihariganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate

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

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

ORAL ORDER

4 09-12-2024 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Bihariganj P.S. Case No. 84 of 2024 instituted for the offence
under Sections 302/34 of the Indian Penal Code and Section 27
of the Arms Act.

3. Prosecution case as emanated from the FIR is that
petitioner has committed murder of the daughter of the
informant due to non-fulfillment of the demand of dowry.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 15-03-2024. 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. It is submitted that petitioner is the husband of the deceased and marriage of the petitioner and deceased was solemnized twelve years ago. It is submitted that during time of occurrence, petitioner was not present in his room and some unknown miscreants have committed murder of the deceased by open firing. There is no eye witness to the occurrence. No witness have supported the prosecution case. Petitioner himself is the witness of the seizure list. It is lastly submitted that police after investigation has already submitted charge sheet in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that deceased was in illicit relationship with the brother of the petitioner and due to this, petitioner has committed murder of her wife (deceased). It is next submitted that doctor has opined the cause of death to be hemorrhage and shock due to antemortem injuries caused by firearms.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, charge sheet being submitted and there being no cogent material against the petitioner, this Court is inclined to grant bail to the petitioner.



8. Let the petitioner be released on bail 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 Bihariganj P.S. Case No. 84 of 2024, 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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