

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72584 of 2024

Arising Out of PS. Case No.-140 Year-2023 Thana- ANDHRATHARHI District- Madhubani

Ram Ratan Mahto Son of Dasai Mahto Resident of village - Maini, P.S.-
Andharathadhi, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jaishankar Kumar Yadav, Adv.

For the Opposite Party/s : Mr. Anish Chandra, APP

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

ORAL ORDER

3 22-11-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Andharathadhi P.S. Case No. 140 of 2023 instituted for the
offence under Sections 304(B), 201 & 34 of the Indian Penal
Code.

3. Prosecution case in short is that daughter of the
informant was done to death due to non fulfillment of the
demand for dowry.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 25-09-2023. Petitioner
bears no criminal antecedent.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. The petitioner is the husband of the deceased. It is further submitted that there is no specific allegation levelled against the petitioners, rather allegation is general and omnibus in nature. There is no eye-witness to the alleged occurrence. All the witnesses are said to hearsay witness. From the postmortem report, it transpires that no external injury was found and the cause of death was reserved and, thus, the medical report does not support the prosecution case at all. It is lastly submitted that charge sheet has already been submitted in this case.

5. Learned counsel for the petitioner again submits that two co-accused persons have been granted bail by this Court vide order dated 26.07.2024 passed in Cr. Misc. No. 39540 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the petitioner is the husband and the offence alleged against him is serious in nature. Charge-sheet has been submitted by the I.O. against the petitioner and, hence, he does not deserve bail.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, clean antecedent of the petitioner, there being no specific allegation against the



petitioner and charge sheet being submitted, 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 Andharathadhi P.S. Case No. 140 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)

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