

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.69621 of 2023**

Arising Out of PS. Case No.-2896 Year-2009 Thana- WEST CHAMPARAN COMPLAINT  
District- West Champaran

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Babuni Mahto, Son Of Late Mathura Mahto @ Mathura Bhagat, Resident Of  
Village - Kanaujia Tola Balua Prayagwa, P.S. - Jogapatti, District - West  
Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Suniana Devi Wife Of Babuni Mahto Resident Of Village - Kanaujia Tola  
Balua Prayagwa, P.S. - Jogapatti, District - West Champaran

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Dhannjay Kumar No 2

For the Opposite Party/s : Mr.Arvind Kumar Pandey(App84)

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      16-01-2024                      Heard learned counsel for the petitioner, informant  
and learned APP for the State.

2. The petitioner has prayed for regular bail in a case  
instituted for the offence under Section 498A of the Indian Penal  
Code and Section 4 of the D.P. Act.

3. As per prosecution case, the complainant is a  
widow and she has two sons before marriage and the petitioner  
was also widower whose wife has also died. It is further stated



that the complainant has got married with the petitioner and kept six to seven months peacefully but after he has tortured her and her sons due to helpless of the complainant and lastly kicked out her from house.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner is the husband of the complainant and he neither tortured her, nor demanded dowry from her. Petitioner has not intentionally quitted *pairvi* in this case due to his poverty he has gone for work and earning living hood. He further submitted that good sense has been prevailed between both the parties. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 08.05.2023.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the



satisfaction of the learned S.D.J.M., Bettiah, West Champaran in  
connection with Complaint Case P.S. Case No. 2896 of 2009.

**(Sunil Kumar Panwar, J)**

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