

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82957 of 2023

Arising Out of PS. Case No.-10 Year-2020 Thana- JAMOBABAZAR District- Siwan

Ramesh Mahto @ Ramesh Kumar, Son Of Magister Mahto Resident Of
Village - Sirisiya, P.S. - Jamo Bazar, District - Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 19-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Jamobazar P.S. Case No. 10 of 2020, lodged on 02.02.2020
under Sections 304 (B), 328, 201, 34 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against six named accused persons including the present
petitioner. The allegation against the present petitioner is that he
has killed his wife for non-fulfillment of demand of dowry.
Allegation of torture and to provide poison to the deceased is
also present in the FIR.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that admittedly, the marriage of the deceased and



the petitioner was solemnized in the year 2017 and the present case has been lodged in the year 2020 and in between, there was no complaint at any occasion was filed from the informant's side. Counsel further submits that case diary has been called for. In paragraph no.48 of the case diary, the statement of the Medical Officer has been made that on 26.01.2020, the petitioner has visited to the preliminary center Goriakothi for treatment of his wife who was suffering from appendix pain and medicine was provided by him to the deceased. Counsel submits that the petitioner has informed about the death of his wife to his in-laws, but suppressing those material, they have filed this case.

5. Learned counsel for the petitioner submits that the criminal antecedent of the petitioner is clean and he is in custody since 07.12.2022. Counsel further submits that charge has already been framed in this case.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that allegation of providing poison and to burn the dead body is there in the FIR.

7. Upon specific query of the Court from the counsel for petitioner that whether charge has been framed in this case or not, counsel submits that as per his knowledge, charge has



already been framed in this case.

8. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioner at present.

9. Accordingly, the prayer for regular bail of the petitioner in connection with Jamobazar P.S. Case No. 10 of 2020, pending before the learned A.C.J.M., Siwan is **hereby rejected.**

10. Liberty is hereby granted to the petitioner that he may renew his prayer for bail six months after framing of charge, if trial shall not be concluded within the said period.

(Dr. Anshuman, J.)

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