

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45333 of 2023

Arising Out of PS. Case No.-470 Year-2022 Thana- JAGDISHPUR District- Bhojpur

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Deepu Kumar @ Dipu Kumar Son Of Ram Deo Mahto @ Ram Deo Singh
Resident Of Village- Niniya Tola, Devghar (Nij), Ps- Jagdishpur, Dist-
Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 85299 of 2023

Arising Out of PS. Case No.-470 Year-2022 Thana- JAGDISHPUR District- Bhojpur

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Ramdeo Mahto @ Ram Deo Mahato @ Ramu Son Of Late Ram Dharikshan
Singh Resident Of Village- Nimiya Tola Devghar, Ps- Jagdishpur, Distt-
Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 45333 of 2023)

For the Petitioner/s : Mr.Diwakar, Deepak Kumar

:

Mr.Shivam Kumar

:

Ms. Priya Kumari

For the Opposite Party/s : Mr.Parmanand Kumar

(In CRIMINAL MISCELLANEOUS No. 85299 of 2023)

For the Petitioner/s : Mr.Diwakar .

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 23-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek regular bail in connection with
Jagdishpur P.S. Case No. 470 of 2022 registered for the offence
under Sections 304B, 328, 34 the Indian Penal Code.

3. As per allegation in the FIR, the informant alleged



that her daughter was married with the petitioner Deepu Kumar in year of 2022 and thereafter, the he along with his family members subjected her to cruelty due to non-fulfillment of dowry demand. Ultimately, on 20.9.2022 the informant came to that her daughter was committed murder by administering her poison by the petitioners. Thereafter, the present FIR was lodged.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. No prior complaint was made against the petitioners regarding torture or harassment the deceased. The petitioner Ramdeo Mahto is father-in-law of the deceased who has no concerned mess and business of the deceased as well as her husband Deepu Kumar. Both the petitioners have got no criminal antecedent. Moreover, petitioner Deepu Kumar and Ramdeo Mahato are languishing in judicial custody since 21.9.2022 & 23.8.2023 respectively.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the death of the informant's daughter was caused within seven year of her marriage. The petitioner Deepu Kumar is husband of the deceased upon whom the full responsibility to keep his wife well. According to the F.S.L. report, Organo Phosphorous Pesticide was detected which is highly poisonous. It is further



submitted the witnesses of this case have also supported the prosecution.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the **petitioner Ramdeo Mahto** on bail. The above named petitioner **Ramdeo Mahto** is directed to be released on bail in connection with Jagdishpur P.S. Case No. 470 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-XIII, Bhojpur at Ara.

7. So far as **petitioner Deepu Kumar** is concerned, he is husband of the deceased upon whom the full responsibility to keep his wife well, as such, this court is not inclined to enlarge the petitioner on bail and his prayer for bail stands rejected.

7. The trial Court is directed to expedite the trial and conclude the same as early as possible.

(**Sunil Kumar Panwar, J**)

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