

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9577 of 2025

Arising Out of PS. Case No.-161 Year-2019 Thana- AWTARNAGAR District- Saran

Dharmendra Kumar @ Dlarmendra Kumar Mahto Son of Ram Lakhan Mahto @ Ramlakhan Mahto Resident of Village- Soda Godam Kothiya, P.S.- Awtarnagar, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 04-04-2025 Heard learned counsel for the petitioner, learned APP for the State and perused the case diary.

2. The petitioner seeks bail in Awtar Nagar P.S. Case No. 161 of 2019, instituted for the offences punishable under Section 304(B) of the Indian Penal Code.

3. The prosecution case, in short, is that, daughter of the informant was married to the petitioner. The petitioner along with other co-accused persons used to assault and harass her and demanded dowry. Due to non-fulfillment of demand of dowry, daughter of the informant was killed by the accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Learned counsel for the petitioner also submits that the petitioner is husband of the deceased. No demand of dowry



has been made from the petitioner, rather it was an accidental death of the deceased due to drowning in water. It is next submitted that the postmortem report of the deceased does not corroborate with the prosecution case. The petitioner is in custody since 22.08.2024 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted regular bail by this Court vide order dated 10.12.2024 passed in Cr. Misc. No. 79970 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Awtar Nagar P.S. Case No. 161 of 2019, 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)

Rajorshi/-

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