

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7468 of 2025

Arising Out of PS. Case No.-377 Year-2023 Thana- GORAUL District- Vaishali

Rajeev Mahto @ Rajeev Kumar Son of Late Tetar Mahto Resident of Village
- Dhojaul, P.S. - Goraul, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lovekush Kumar

For the Opposite Party/s : Mr. Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-03-2025 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Goraul Police Station Case No. 377 of 2023,
disclosing offences under Sections 304(B), 201, 34 of the Indian
Penal Code.

3. As per the prosecution case, allegations are that
Vinita Kumari was married to Rajeev Mahto on 30.05.2022 as
per Hindu customs. After 3-4 months of marriage, Rajeev
Mahto (petitioner) and his family allegedly started demanding a
motorcycle and a gold chain as dowry. Due to non-fulfillment of
this demand, the accused including Rajeev Mahto (petitioner)
and his relatives allegedly murdered Vinita Kumari and
disposed of her body.

4. Learned Counsel for the petitioner submits that
the petitioner has not committed any offence in the manner
alleged falsely been implicated in the present case to harass and



blackmail the petitioner and his entire family members. Petitioner is the husband of the deceased and has never tortured the deceased for demand of dowry. Deceased died due to illness. During the course of investigation, the I.O. examined some of the witnesses but all of them were not the eye witness instead, they were the relatives of the informant. There is a delay in lodging the FIR inasmuch as the occurrence took place on 03.09.2023 and the FIR was lodged on 05.09.2023.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that there is allegation against the petitioner of demand of dowry and torture and within one and a half years of marriage, the victim has died unnatural death in her matrimonial home, there is presumption against the petitioner (husband) under Section 113B of the Evidence Act and in close proximity of time, there is demand of dowry and death of the victim girl in suspicious condition, I am not inclined to grant privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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