

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11193 of 2025**

Arising Out of PS. Case No.-103 Year-2024 Thana- DERNI BAZAR District- Saran

Shree Mahto @ Shiri Mahto S/o- Late Raghubir Mahto R/o Village- Suithar
P.S. Derni District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 18-06-2025 Heard Mr. Krishna Kumar Singh, the learned
counsel appearing on behalf of the petitioner and Mr. Sanjay
Kumar Singh, the learned Additional Public Prosecutor for the
State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 201, 120(B) and 34 of
the Indian Penal Code. Petitioner has clean antecedent.

3. As per the prosecution case, the daughter of the
informant was married to one Dev Kumar Mahto. The informant
had further alleged that she came to know that the dead body of
her daughter was found and the same was sent for postmortem
and it has further been alleged that the daughter of the informant
had once stated that the accused persons had been demanding



dowry and on account of non-fulfillment of dowry, the daughter of the informant has been done to death

4. The learned counsel for the petitioner submits that the petitioner is not named in the FIR and his name has surfaced in the confessional statement of one witness during the course of investigation. The learned counsel further submits that he happens to be the maternal uncle (mama of the husband of the deceased) and has no concern whatsoever with the family matter of the other co-accused persons. The learned counsel has next submitted that the charge-sheet has already been submitted and he is in custody since 26.05.2024 and carries clean antecedent.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail.

6. Considering the aforesaid submissions made by the parties and taking into account the period of custody, I am inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection Derni P.S. Case No. 103 of 2024, subject to the



following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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