

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27864 of 2025

Arising Out of PS. Case No.-122 Year-2024 Thana- ATHMALGOLA District- Patna

Binod Mahto, S/o Late Singheshwar Mahto, R/o- Ramnagar Diyara, P.S.-
Athmalgola, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Jiban Pd Singh, Advocate

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Sessions Trial No. 1376/2024, arising out of Athmalgola P.S. Case No. 122 of 2024 for the offences punishable under Sections 304(B)/201/34 of the Indian Penal Code.

3. As per prosecution case, the daughter of the informant was married with the son of the petitioner and allegation against the petitioner and other co-accused persons is that they used to demand money and, on the fateful day, they assaulted the daughter of the informant and administered her poisonous substance (rat killer). Consequently, the daughter of the informant died.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner is the father-in-law of the deceased and has not committed any offence. There is no allegation against the petitioner for demanding any dowry. From the FIR, it is apparent that the daughter of the informant was married with the co-accused son of the petitioner after love affair and it is not believable that thereafter there has been demand of dowry from the co-accused husband or the petitioner. The learned counsel further submits that the daughter of the informant consumed poison and she was also taken to hospital by the petitioner and his family members and subsequently she died. The petitioner is an illiterate person and is an agriculture worker. The learned counsel reiterates that there is no specific allegation and the deceased committing suicide might due to tension between the husband and the wife in which the petitioner has no role. The petitioner is in custody since 15.04.2024 and is having clean antecedent. The charge sheet has been submitted.

5. Learned APP vehemently opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances of the case and submissions made on behalf of the parties and



considering the vague nature of allegation against the petitioner and further considering the period of custody of the petitioner, submission of charge sheet and his clean antecedent, the petitioner is directed to 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 learned District & Additional Sessions Judge, 5th, Barh, Patna, in connection with Sessions Trial No. 1376/2024, arising out of Athmalgola P.S. Case No. 122 of 2024, subject to the conditions mentioned in Section 480 (3) of BNSS and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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