

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28218 of 2025

Arising Out of PS. Case No.-237 Year-2024 Thana- BIBHUTIPUR District- Samastipur

Indradeo Kumar @ Indra Dev Kumar @ Indradev Mahto S/o Baiju Mahto @
Bajinath Mahto Resident of Vill.- Patpara, P.S.-Bibhutipur, District-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Kumar, Advocate.

For the Opposite Party/s : Mr.Awadhesh Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 07-05-2025 Heard Mr. Satish Kumar, learned counsel appearing
on behalf of the petitioner and Mr. Awadhesh Kumar Singh,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Bibhutipur P.S. Case No. 237 of 2024 registered for the
offence punishable under Sections 80 and 238 of the BNS,
2023.

3. As per the allegation made in the F.I.R., due to non-
fulfillment of demand of dowry, the family members of the
petitioner used to torture the daughter of the informant (wife of
the petitioner) and finally committed her murder.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is the husband and
allegation levelled against him is general and omnibus. He was
not present at the time and place of occurrence, as he had gone



outside to earn his livelihood. The cause of death according to the petitioner is due to heart attack. Compromise has already been entered into between the parties. The family members who were present at the place of occurrence have been released on bail by this Court. The petitioner who has no complicity with the alleged commission of murder deserves to be released on bail having clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and submitted that the petitioner had deserted his wife for two years which is evident from the F.I.R. On this ground he submitted that deserting wife for two years is itself a cruelty and ultimately the daughter of the informant died.

6. Having considered the rival submissions made on behalf of the parties, it is evident from the F.I.R. that the petitioner had deserted his wife for a period of two years, which is itself a cruelty and ultimately caused death to the daughter of the informant, I am not inclined to enlarge the petitioner on pre-arrest bail.

7. The bail application stands disposed of.

(Purnendu Singh, J)

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