

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39999 of 2025

Arising Out of PS. Case No.-43 Year-2024 Thana- CHAPRA TOWN District- Saran

Om Prakash Mahto @ Omprakash Mahto Son of Late Shivilkhan Mahto
Resident of Village- Rauja Pokhara Bintoli, P.S.- Chapra Town, District-
Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 18-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Chapra Town P.S. Case No. 43 of 2024 dated 27.01.2024 registered for the offences punishable under Section 304B read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have killed the informant's daughter due to non-fulfillment of demand of a pick-up vehicle as dowry.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. There



is general and omnibus allegation against the petitioner, who is the husband of the deceased. It is further submitted that from perusal of the post-mortem report it appears that strangulation on the informant's face to a pillow does not match, hence no offence of strangulation is made out against the petitioner. The petitioner neither demanded any dowry nor tortured the deceased. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody in this case since 25.04.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for regular bail of the petitioner and submitted that earlier the regular bail application of the petitioner was rejected by this Court vide order dated 09.09.2024 passed in Cr. Misc. No. 60932 of 2024.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saran at Chapra in connection with Chapra Town P.S. Case No. 43 of 2024, with a condition:-

(i) The petitioner is directed to remain physically



present before the learned Court below on each and every date,
failing which on two consecutive dates without reasonable
cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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