

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.75779 of 2024**

Arising Out of PS. Case No.-308 Year-2022 Thana- KALYANPUR District- East Champaran

Bhola Mahto, Son of Sitaram Mahto, Resident of Village- Purainiya, P.S.-  
Kalyanpur, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

3      22-01-2025                      Heard learned counsel for the petitioner and Mr. Uday  
Chand Prasad, learned APP for the State.

2. The petitioner has prayed for bail in a case registered  
for the offence punishable under Section 302/34 of the Indian  
Penal Code.

3. The case of the prosecution is that the daughter of the  
informant was married to Raj Kumar Mahto ten years ago. She is  
having two sons out of that wedlock aged about 7 years and 4  
years. From few years, the daughter of the informant was being  
subjected to cruelty. On 10.11.2022, the in-laws of the daughter of  
informant namely, Raj Kumar Mahto, Bhola Mahto (petitioner),  
Sitaram Mahto and wife of the petitioner killed the daughter of the  
informant by hanging. When the informant reached there, he found  
that all the in-laws have fled away and his daughter was lying dead  
on the cot.

4. Learned counsel appearing on behalf of the petitioner



has submitted that the petitioner is brother-in-law of the deceased. He has also submitted that his residence and mess is separate. He has got nothing to do with the occurrence. From perusal of the case diary it is clear that the witnesses have reiterated the facts of the FIR. From perusal of the FIR itself it is clear that though the name of this petitioner is there in the FIR, it is based on suspicion. The petitioner is having no criminal antecedent.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court of Additional Chief Judicial Magistrate-IV, East Champaran, Motihari in connection with Kalyanpur P.S. Case No. 308 of 2022.

7. Accordingly, the present bail application stands allowed.

**(Ashok Kumar Pandey, J)**

durgesh/-

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