

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83099 of 2024

Arising Out of PS. Case No.-51 Year-2024 Thana- BASANTPUR District- Siwan

Mithu Mahto S/O Akshaylal Mehta R/O Village- Usari, P.S.- Basantpur,
District-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 24-03-2025 Heard learned counsel for the petitioner and Mr.
Nagendra Prasad, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 304-B and 302/34 of the Indian Penal Code.

3. The case of the prosecution is that the daughter of the informant, namely Roma Kumari was married to the petitioner. It is further alleged that she was subjected to cruelty on account of non-fulfillment of dowry demand by the in-laws. On 10.02.2024, when the informant called mother-in-law, Sunaina Devi, she told to call back. The informant came to know that her daughter has been killed.

4. Learned counsel for the petitioner has submitted that in this case, the name of the petitioner is nowhere. During



course of investigation the witnesses have stated that at the moment of the occurrence the petitioner was not at the house. In para-40 of the case diary it has come that the deceased was having illicit relation with her brother-in-law and was pregnant from him. It has also come that the petitioner used to work at Bangalore as a labourer. He has come to the village 14 days ago and they had had some dispute. In para-40 it has come that as the deceased was pregnant and she was pressurizing her brother-in-law for abortion and for this she also had quarrel with her brother-in-law and due to which she has hanged herself. From perusal of the post-mortem report it transpires that the Doctor has found enlarged uterus with products of conception. So the statement under para-40 of the diary gets supported with the post-mortem report. The ante mortem injury which was found over the person of the deceased is bruise over right side neck from midline to below right ear and cause of death is strangulation. The petitioner is in custody since 10.05.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

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 released on bail in connection with
Basantpur P.S. Case No. 51 of 2024 on furnishing bail bond of
Rs.10,000/- (Ten Thousand) with two sureties of the like amount
each to the satisfaction of learned A.C.J.M.-X, Siwan.

(Ashok Kumar Pandey, J)

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