

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86050 of 2024

Arising Out of PS. Case No.-225 Year-2024 Thana- PANCHRUKHI District- Siwan

Jeevandeep Mahto, Male, aged about 30 years, Son of Sundar Mahato,
Resident of Village- Ukhai Purab Tola (Patti), P.S.- Sarai, Dist.- Siwan.

... .. Petitioner

Versus

1. The State of Bihar.
2. Vishranti Devi, Female, aged about 29 years, Wife of Late Dhera Mahto,
R/O_Village- Palti Etwa , PS-UchkaGaw, District-Gopalganj

... .. Opposite Parties

Appearance :

For the Petitioner : Mr. Ashok Kumar, Advocate
For the State : Mr. Umanath Mishra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 09-01-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with
Pachrukhi P.S. Case No. 225 of 2024 dated 09.06.2024
registered for the offences punishable under Sections 341, 323,
498A read with Section 34 of the I.P.C. and Section 3/4 of the
D.P. Act.

3. As per the prosecution case, the petitioner and other
co-accused persons are alleged to have tortured the informant
mentally and physically due to non-fulfilment of demand of Rs.
5,00,000/- and one four wheeler as dowry.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has been falsely implicated in this case. The petitioner neither demanded any dowry nor tortured the informant. It is further submitted that the petitioner is the husband of the informant and he has no concern with the alleged offence. It is further submitted that the petitioner is ready and willing to reconcile with the informant and fulfil his marital obligations but the informant is unwilling to return to the matrimonial home as stated in paragraph no. 8 of the bail petition. Learned counsel for the petitioner has relied upon the judgments of this Court in the case of “*Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar*, reported in *2006(3) PLJR 182*” and in the case of *Satendra Kumar Antil Vs. Central Bureau of Investigation and Another (2022) 10 SCR 351* and *Md. Asfak Alam Vs. The State of Jharkhand & Anr.* passed in *Criminal Appeal No (s). 2207 of 2023 arising out of Special Leave Petition (CRL.) No. 3433 of 2023*. Learned counsel for the petitioner has further submitted that Section 498A of the Indian Penal Code is triable by the Magistrate. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody since 21.08.2024.

5. Learned A.P.P. for the State has opposed the prayer



for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M./Successor Court, Siwan in connection with Pachrukhi P.S. Case No. 225 of 2024.

(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. If so advised, either of the parties will be at liberty to make an application before the court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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