

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88263 of 2024

Arising Out of PS. Case No.-768 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

Manish Kumar Mahto S/O Bhulla Mahto @ Bindeshwar Mahto R/O Village-
Uatsi Dhamaun Ward No.-8, P.S- Patori, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Adv
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

6 17-06-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Shahpur Patori P.S. Case No. 768 of 2023 registered for the offences punishable u/s 304B, 201 and 34 of the I.P.C.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have tortured the informant's daughter mentally and physically due to non-fulfillment of demand of Rs. 5,00,000/- as dowry. It was also alleged that on 19.12.2023, the informant came to know that the named accused persons including the petitioner have killed her daughter and disappeared her dead body.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that during the course of the investigation the independent witnesses, who were examined by the police, had reported that there was some altercation between the petitioner with his wife and on account of the same she had committed suicide. It is lastly submitted that the petitioner has clean criminal antecedent and is in custody since 27.02.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail and has stated that the petitioner happens to be the husband of the deceased and the death has occurred within the seven years of marriage, hence, he does not deserve the liberty of bail.

6. Considering the aforesaid submissions of the parties and also considering the period of custody, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur, in connection with Shahpur Patori P.S. Case No. 768 of 2023, subject to the following conditions:-

(i) One of the bailors will be close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two



consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. The application stands allowed.

(Sourendra Pandey, J)

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