

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89849 of 2024

Arising Out of PS. Case No.-297 Year-2022 Thana- TEGHRHA District- Begusarai

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Amit Kumar @ Amit Mahto @ Amit S/O Chandrabali Mahto Resident of
Naya Tola Pidhauri P.S.- Teghra, Dist.- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Ashok Kumar

For the Opposite Party : Mr.Aditya Narayan Singh.1

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

ORAL ORDER

2 17-01-2025 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 Teghra P.S. Case No. 297/2022 dated 23.10.2022 registered for the offence punishable u/ss 302 and 201 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 strangled the informant's daughter to death due to non-fulfillment of demand of Rs. 50,000/- as dowry.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the



petitioner who is husband of the deceased. The petitioner neither demanded any dowry nor tortured the deceased. It is submitted that the deceased was not subjected to torture and cruelty soon before her death for or in connection with demand of dowry. The petitioner used to do a job of porter in Kolkata and he used to regularly transfer money to his wife. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 18.09.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the petitioner is the husband of the deceased. As per the Post Mortem Report, the cause of death is due to asphyxia as a result of hanging. It is further submitted that at this stage the *plea of alibi* cannot be taken into consideration.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of offence against the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Teghra P.S. Case No. 297/2022 pending in the court of learned C.J.M. Begusarai.

7. This application stands rejected.

(Chandra Prakash Singh, J)

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