

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72792 of 2025

Arising Out of PS. Case No.-54 Year-2025 Thana- AHIYAPUR District- Muzaffarpur

Ramesh Mahto Son of Damodar Mahto Resident of Basauli Bishunpur
Narayan, P.S. - Ahiyapur(Garha O.P.), Dist. - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shankar Mahto Son of Late Persan Mahto Resident of Khetalpur, P.S. -
Shahi Minapur, P.S. - Aurai, Dist. - Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amir Alam, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 13-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Ahiyapur (Garha O.P.) P.S. Case No. 54 of 2025 instituted for
the offences under Sections 80/238, 3(5) of the Bharatiya Nyaya
Sanhita, 2023.

3. Prosecution case, in short, is that the petitioner
alongwith the family members tortured and killed the deceased
for the non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is the husband of the deceased. Learned counsel for
the petitioner submitted that general and omnibus allegation has



been made against the petitioner. No specific overt act is alleged against the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.01.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner since the petitioner is the husband of the deceased, the onus lies upon him in this case of dowry death and therefore, the petitioner does not deserve to be released on bail.

6. Considering the aforesaid facts and circumstances of the case as also the petitioner being the husband of the deceased, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial.

9. However, liberty is granted to the petitioner to renew the prayer for grant of bail before the Trial Court if the trial is not concluded within a period of four months from today.

(Rudra Prakash Mishra, J)

Alok Verma/-

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