
(2017) 11 JH CK 0005
In the Jharkhand High Court
Case No : 487 of 2017

Shibeswar Giri & Anr

APPELLANT

Vs

The State of Bihar & Ors

RESPONDENT

Date of Decision : 01-11-2017

Acts Referred:

[Indian Penal Code, 1860](#), [Section 302](#),
[Section 201](#), [Section 34](#), [Section 498A](#) - Punishment for murder - Causing
disappearance of evidence of offence or

Citation : (2017) 11 JH CK 0005

Hon'ble Judges : H. C. Mishra, Ananda Sen

Bench : SINGLE BENCH

Advocate : Prashant Kumar Sahu, Deva Kant Rai, Abhijeet Kumar Singh

Final Decision : Allowed

Judgement

1. Heard learned counsel for the appellants and the learned counsel for the State on the interlocutory application filed by the appellants for granting bail during the pendency of this appeal.
2. The appellants are the husband and the brother-in-law of the deceased and they have been convicted and sentenced for the offence under Sections 498-A, 302, 201 / 34 of the Indian Penal Code.
3. There is allegation against the husband, Rohan Mahto to have subjected the deceased to cruelty and torture for the demand of dowry and to have done her to death. The dead body was cremated without intimating the family members of the deceased.
4. In the facts and circumstances of the case, we are not inclined to enlarge the appellant No.1, Rohan Mahto, on bail. Accordingly, his prayer for bail is hereby, rejected.
5. So far as the appellant No.2, Madhu Mahto, who is the brother-in- law of the

deceased is concerned, we are inclined to enlarge him on bail. Accordingly, the appellant No.2, Madhu Mahto, is directed to be released on bail, during the pendency of this appeal, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each, to the satisfaction of learned Additional Sessions Judge-II, F.T.C, Bermo at Tenughat, in connection with Sessions Trial No.66 of 2009.

6. The aforesaid Interlocutory Application is allowed in part.