

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13839 of 2015

Arising Out of PS.Case No. -248 Year- 2013 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Kalawati Devi W/o Pitambar Mahto
 2. Lalan Mahto S/o Pitambar Mahto
 3. Geeta Devi W/o Lalan Mahto
 4. Mukesh Mahto S/o Pitambar Mahto
 5. Buchchi Devi @ Bachi Devi W/o Mukesh Mahto all are residents of
village - Nuniawan Tola, P.S. Paharpur, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Adv.
For the Opposite Party/s : Mr. Md.Sufiyan (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-05-2015 Heard learned counsels for the petitioner and the State.

The petitioners being the mother, brothers and brothers' wife of the husband of the victim are apprehending arrest in a case registered for the offences punishable under Sections 302 and 120B/34 of the Indian Penal Code.

The accusation is of killing the daughter of the informant after causing burnt injury.

It is submitted by learned counsel for the petitioners that in the FIR, the date of marriage has not been mentioned but in the subsequent statement, the informant stated that the marriage was performed 10-12 years prior to the occurrence. It is further

submitted that the husband of the victim filed Matrimonial Suit No. 75 of 2013 for restitution of conjugal life but the victim left the house of her husband on 24.10.2010 and thereafter she did not return. The petitioners claim to be separate from the husband of the victim and the informant has subsequently retracted from his initial version and filed a petition to that effect before the learned court below. The same has been brought on record as Annexure-2. Moreover, there is no eye-witness to the occurrence.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., East Champaran, Motihari in connection with Paharpur P.S. Case No. 248 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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