

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.9250 of 2015**

Arising Out of PS.Case No. -138 Year- 2014 Thana -RAJAPAKAR District- VAISHALI(HAJIPUR)

- =====
1. Vijay Mahto son of Late Harendra Mahto
  2. Sanjay Mahto @ Sanjay Kumar Mahto, son of Late Harendra Mahto
  3. Punam Devi wife of Late Harendra Mahto All resident of village- Raja Pakar, P.S. Rajapakar, District- Vaishali

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Kaushal Kishor

For the Opposite Party/s : Mr. Satyaverat Verma(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

6      02-09-2015      Initially the case diary of Rajapakar P.S. Case No. 138 of 2014 was called vide order dated 10.03.2015 but since the application stood dismissed for non-prosecution vide order dated 19.05.2015, the case diary has been returned, thereafter the present application has been restored. In the circumstances, this Court is not inclined to call for the case diary again.

The petitioners being the brothers and mother of the husband of the victim are apprehending arrest in a case registered for the offences punishable under Sections 304B/34 of the Indian Penal Code.

The specific accusation is of killing the daughter of the informant within two years of marriage for non-fulfillment of the

dowry demand.

It is submitted by learned counsel for the petitioners that the thrust of accusation is against the husband of the victim who is in custody and the victim committed suicide. 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 by way of supplementary affidavit.

Considering the thrust of accusation against the husband of the victim, 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., Vaishali at Hajipur in connection with Rajapakar P.S. Case No. 138 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

**(Dinesh Kumar Singh, J)**

Amrendra/-

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