

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28568 of 2014

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1. Dhurandhar Mahto, Son of Mangal Mahto
2. Hevanti Devi @ Hewanti Devi, Wife of Dhurandhar Mahto
Both are resident of Village-Bantail, P.S.-Kuchai Kote, Distt.-Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Roy, Advocate

For the Opposite Party/s : Mr. U.L.Verma(APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 05-01-2015 Heard learned counsel for the petitioners and
learned counsel representing the State.

The petitioners being father-in-law and mother-in-law seek the privilege of pre arrest bail in connection with Kuchaikote P.S. Case No. 29 of 2014 registered for the offences alleged under Sections 304(B), 201/34 of the Indian Penal Code.

Allegedly, for non-fulfilling the demand of gold chain and motorcycle, the daughter of the informant was assaulted and ultimately she was done to death and her dead body was also cremated without informing the informant.

Learned counsel for the petitioners submits that during investigation the villagers have stated before the Investigating Officer that due to current stroke the death was caused and as the electric consumes was being taken without

taking valid connection and as such the villagers thought it proper to burn the dead body without informing anyone to which the learned APP opposes.

Considering the submissions at the bar going through the case diary and noticing that the demand of dowry has been supported by the informant, his wife and other witnesses and death has taken place within seven years of marriage and as such this Court is not persuaded to grant the privilege of pre arrest bail to the petitioners.

Accordingly, their prayer for anticipatory bail stands rejected.

However, if the petitioners surrender and seek regular bail, their prayer for bail shall be considered on its own merit without being prejudice by this order.

(Jitendra Mohan Sharma, J)

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