

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22272 of 2016

Arising Out of PS.Case No. -3 Year- 2014 Thana -EKMA District- SARAN

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1. Awadhesh Mahto S/o Shiv Shankar Mahto @ Ram Ekbal Mahto
2. Panpati Devi W/o Shiv Shankar Mahto @ Ram Ekbal Mahto,
3. Rita Devi W/o Awadhesh Mahto All resident of Village- Ekripur,
Dakshin Tola, P.S.- Ekma, District- Saran at Chapra.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 24-05-2016 Heard the learned counsel for the petitioners as well
as the learned A.P.P. for the State.

The petitioners seek bail in a case for the offence punishable under section 304(B) of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

Manisha Devi, the daughter of the informant was married to Sanjay Mahto, son of petitioner no.2 on 7.4.2013 and allegedly, due to non-fulfillment of demand of motorcycle and golden chain, she was being tortured by her husband and the petitioners and ultimately, she was done to death by pressing with rope on her neck.

Submission is of false implication and that the

petitioners have got no concern with the family affair of the deceased and her husband, they are Bhainsur, mother-in-law and Gotani and are living separately, there is no specific allegation against them and during investigation, no one has come forward to support the prosecution version and, as such, they deserve sympathetic consideration to which the learned A.P.P. fairly submits that against the petitioners, there is no specific allegation.

In the facts and circumstances stated above, the petitioners, above named, are directed to be released on bail on execution of bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saran at Chapra in connection with Ekma P.S. Case No.03 of 2014, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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