

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7490 of 2016

Arising Out of PS.Case No. -163 Year- 2015 Thana -MANSI District- KHAGARIA

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1. Janardan Mahto, son of Chanchal Mahto
 2. Wakil Mahto, son of Chanchal Mahto
 3. Rajeev Mahto, son of Chanchal Mahto
 4. Deepak Kumar, son of Janardan Mahto
 5. Sumitra Devi, W/o Janardan Mahto
 6. Chhotu Kumar, S/o Nandlal Mahto
 7. Abha Devi, W/o Wakil Mahto
 8. Rajpati Devi, W/o Chanchal Mahto. All are residents of village- Thatha,
P.S.- Mansi, District- Khagaria

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Gulnar Begum, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 15-03-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of mansi P.S. Case No. 163 of 2015, disclosing offences under Sections 302 and 201/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

The deceased admittedly died nearly 10 years after the marriage. There are altogether 09 accused persons named in the First Information Report. All of them belong to the family of the husband of the deceased. Petitioners no. 1, 2 and 3 are brothers of

the husband of the deceased whereas petitioners no. 4 and 5 are son and wife of petitioner no. 1. Petitioner no. 7 is the wife of petitioner no. 2 and petitioner no. 8 is the mother of petitioner no. 1.

Learned counsel appearing on behalf of the petitioners submits that there is no apparent basis for implicating these petitioners, on the allegation of committing murder of the deceased, over and above, suspicion. He further submits that there is no chance that petitioners will tamper with the evidence or influence the witnesses if, granted anticipatory bail.

Considering the facts and circumstances and nature of accusation, this application is allowed.

Let the petitioners, above-named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Mansi P.S. Case No. 163 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may

be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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