

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34131 of 2016

Arising Out of PS.Case No. -106 Year- 2016 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Ramayan Mahto, son of Bhagu Mahto
 2. Awadhesh Mahto, son of Ramayan Mahto
 3. Shobha Devi, wife of Awadhesh Mahto, all are resident of village-
Koirgawa, Police Station- Yogapatti, District- West Champaran

..... Petitioner/s
Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate.
For the Opposite Party/s : Mr. Sri Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 02-09-2016 Learned counsel for the petitioners, learned counsel
for the informant and the learned A.P.P. for the State are present.

On 31.08.2016, after hearing counsels for the
petitioners, informant and State, order was dictated and petitioners
were allowed anticipatory bail but before typing of the said order
learned counsel for the petitioners has mentioned that in course of
argument, on 31.08.2016, inadvertently, it was orally submitted
that the husband of the deceased is in custody. But, in fact,
husband of the deceased is not in custody till today.

Therefore, the case is listed today under the heading
“to be mentioned” on the instance of the learned counsel for the

petitioners and order is being dictated today afresh.

The petitioners apprehend their arrest in connection with Yogapatti P.S. Case No. 160 of 2016, registered under Sections 304(B) and 201/34 of the Indian Penal Code.

The accusation is of killing of daughter of informant by her husband and in-laws due to non-fulfillment of demand of dowry and the dead body has been disposed of without giving any information to the informant.

Learned counsel for the petitioners submits that petitioners being the father-in-law, brother-in-law and sister-in-law of the deceased have falsely been implicated in this case due to ulterior motive. Further submission is that, in fact, daughter of the informant, died due to diarrhoea and informant, father of the deceased, was also participated in her last funeral but due to ulterior motive the present case has been lodged after 42 days of the occurrence.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial

Magistrate-II, Bettiah, District West Champaran, in connection with Yogapatti P.S. Case No. 106 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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