

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.501 of 2016

Arising Out of PS.Case No. -120 Year- 2015 Thana -SARAIYA District- MUZAFFARPUR

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1. Rajendra Mahto S/o Late Bahadur Mahto
2. Manohar Mahto S/o Rajendra Mahto
3. Gita Devi W/o Manohar Mahto
All are residents of Village- Ghoghrahan, P.S.- Saraiya, District-
Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. U.S.P.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 15-02-2016 Heard Sri Sanjay Kumar, learned counsel for the
petitioners and Sri Uma Shankar Prasad Singh, learned A.P.P.

Three petitioners, who are petitioner no. 1 father –in-
law, petitioner no. 2 devar (brother of the husband) and
petitioner no. 3 wife of petitioner no. 2 respectively apprehending
their arrest have prayed for grant of anticipatory bail in
connection with Saraiya P.S. Case No. 120 of 2015 registered for
the offence punishable under Section 304(B) , 201/ 34 of the
Indian Penal Code.

Learned counsel for the petitioners submits that all the
petitioners have falsely been implicated. He submits that after
the death the informant’s side was informed and it was not a

case of dowry death. He submits that marriage was solemnized prior to seven years of the date of marriage and as such, there is no application of Section 304(B) of the I.P.C. in the present case.

Learned A.P.P. has opposed the prayer of bail.

On perusal of the order sheet it appears that police after investigation submitted charge sheet against some of the accused persons and case has already been committed to the court of Sessions.

In view of the nature of accusation, I do not find any ground for extending the privilege of anticipatory bail.

The petition stands dismissed.

(Rakesh Kumar, J)

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