

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35298 of 2016

Arising Out of PS.Case No. -126 Year- 2015 Thana -KANHAULI District- SITAMARHI

- =====
1. Feku Mahto Son of Buni Lal Mahto.
 2. Anil Mahto, Son of Shri Narayan Mahto, Both Resident of Village-Kachor, P.S- Kanhauli District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr. Amit Kr. Rakesh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 28-09-2016 Heard both sides.

The petitioners apprehend their arrest in Kanhauli P.S. case No. 126 of 2015 under Section 304B, 201/34 of the Indian Penal Code.

The informant alleged that his daughter was married to Sushil Mahto, son of Shri Narayan Mahto, in the month of March, 2013, about three years ago. His daughter lived happily in her Sasural for about six months but thereafter Sushil Mahto, his father, Shri Narayan Mahto, elder brother of his son-in-law, Anil Mahto, wife of Anil Mahto and cousin father-in-law of his daughter began to torture his daughter for non fulfillment of demand of motor cycle.



It is submitted that petitioners are cousin father-in-law and brother-in-law (Bhaisur) of the deceased and they have no manner of concern with the family affairs of the deceased and her husband. The husband of the deceased was always quarrelling with her and that is why the deceased committed suicide. Witnesses have also stated this fact during the course of investigation. Father-in-law and sister-in-law of the deceased have already been granted anticipatory bail vide order passed in Cr. Misc. No.24433 of 2016.

It appears that the deceased died after two and half years of her marriage with Sushil Mahto but the deceased never complained about the ill treatment given to her by her husband or in-laws. The informant also did not complain. During the course of investigation, it has come that husband and wife were always quarrelling with each other and that is why the wife committed suicide. The petitioners are cousin father-in-law and brother-in-law of the deceased.

Considering the facts aforesaid and the nature of allegations made against the petitioners, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be

enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in Kanhauli P.S. Case No. 126 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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