

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51353 of 2016

Arising Out of PS.Case No. -283 Year- 2010 Thana -NAUBATPUR District- PATNA

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1. Sadhu Mahto @ Sadhu Prasad @ Sadju Prasad Son of Arbind Mahto
2. Arbind Mahto Son of Kapil Mahto
3. Rashmi Devi Wife of Arbind Matho All of resident of Village-
Hemanchak, P.S.- Naubatpur, Distt- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash

For the Opposite Party/s : Mr. Sri Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-12-2016 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 304(B) and 201/34 of the Indian Penal Code.

Allegation against petitioners is that they have committed murder of his sister due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioners that they have got no criminal antecedent. No allegation of tampering of witnesses is alleged against petitioners. Petitioner no. 1 is the husband of the deceased, petitioner no. 2 is the father-in-law of the deceased and petitioner no. 3 is the mother-in-law of the deceased. Petitioner nos. 2 and 3 are separate in mess and property from petitioner no. 1.

On behalf of the State, it is submitted that petitioner no. 1 is the husband of the deceased and onus is upon him to explain the cause of death of the deceased.



Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to petitioner no. 1, same is rejected.

Let the above named petitioner nos. 2 and 3, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Danapur, Patna, in connection with Naubatpur P.S. Case no. 283 of 2010, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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