

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28472 of 2016

Arising Out of PS.Case No. -60 Year- 2016 Thana -ROSERA District- SAMASTIPUR

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Sunil Mahto, son of late Raj Kumar Mahto, resident of Village- Arout, P.S.-
Rosera, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Ataur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 05-09-2016 Heard both sides.

The petitioner apprehends his arrest in Rosera P.S. Case
No. 60/2016, registered for the offences punishable under Sections
304B and 34 of the Indian Penal Code.

The informant alleged that her daughter Kanchan Devi
was having love affair with Chhotu Kumar and she insisted to
marry with him. On such, the informant married her daughter with
Chhotu Kumar and her daughter went her sasural. It is alleged that
Chhotu Kumar and his mother subjected her daughter to torture
due to non fulfillment of demand of dowry and they burnt her to
death. She further alleged that the occurrence took place at the
instance of the petitioner.

It is submitted that the petitioner is elder brother of the

husband of the deceased. The petitioner has no manner of concern with the deceased and her husband. He never demand dowry nor ever tortured the deceased.

From perusal of the F.I.R., it appears that the allegation of sprinkling kerosene oil and setting the deceased ablaze is against the husband and mother-in-law of the deceased.

Considering the facts aforesaid and the fact that the petitioner is the elder brother of the husband of the deceased, the petitioner, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is 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 Additional Chief Judicial Magistrate, Rosera, Samastipur in connection with Rosera P.S. Case No. 60/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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