

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13982 of 2016

Arising Out of PS.Case No. -56 Year- 2014 Thana -JALE District- DARBHANGA
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1. Balram Kumar Mahto
2. Shyam Kumar Mahto Both sons of Banslal Mahto, Both residents of village- Lataraha, P.S.- Jalley, District- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Adv.
Mr. Surendra Kumar Mishra

For the Opposite Party/s : Mr. Nand Kumar (App)
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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 19-05-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for grant of anticipatory bail arises out of Jalley P. S. Case No. 56 of 2015, disclosing offences under Sections 302,201,120B of the Indian Penal Code.

The petitioners are brothers of the husband of the deceased. The dead body was found on 19.05.2014 lying near a bridge. On the suspicion that she might have been killed and her dead body might have been thrown there, the First Information Report came to be registered, against unknown.

Learned Senior Counsel appearing on behalf of the petitioners has submitted that there is absolutely no material to

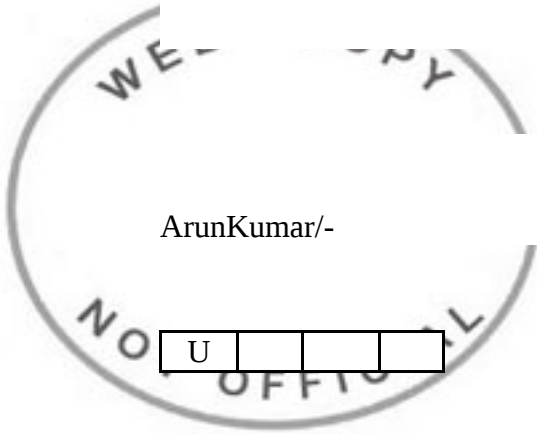
show involvement of these petitioners in commission of the offence, if any. He has further submitted that merely on the basis of suspicion, father-in-law, mother-in-law and other family members of the deceased have been implicated. The father-in-law has granted regular bail by this Court by an order dated 30.09.2015 passed in Cr. Misc. No. 36390 of 2015.

In the present case, the case diary was called for. Learned Additional Public Prosecutor appearing on behalf of the State has not been able to point out any material showing involvement of these petitioners in the commission of crime, except the allegation that there was demand of dowry also.

Considering the above, this application is allowed. Let petitioners above-named in the event of their arrest/surrender within four weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in Jalley P.S. Case No. 56 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to

appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.



ArunKumar/-

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(Chakradhari Sharan Singh, J)