

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45327 of 2015

Arising Out of PS.Case No. -156 Year- 2015 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Atma Ram Prasad S/o Late Bigu Mahato
 2. Sangeeta Kumari @ Sangeeta Devi W/o Prameshwar Prasad D/o Atma Ram Prasad Both Resident of village - Kawaiya, P.S. Jharokhar, Distt. - East Champaran
 3. Indrajeet Prasad @ Inerjeet Mahato S/o Late Ramagya Mahato
 4. Indal Prasad @ Indal Mahato S/o Late Ramagya Mahto Both 3 and 4 R/o Village - Latmari, P.S. Mahuliya, District - Rauthat (Nepal)

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-01-2016

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 302, 201 and 120B of the Indian Penal Code.

Allegation against the petitioners is of killing the sister of the informant due to non-fulfilment of demand of dowry.

It is submitted on behalf of the petitioners that they have got no criminal antecedent. They have been falsely implicated in the present case. The husband of the deceased is not the petitioner before this Court. As far as petitioner no. 1 is concerned, he is the father-in-law of the husband of the deceased. Petitioner no. 2 is the second wife of the husband of the deceased. Petitioner nos. 3 and 4 are the elder brothers of the husband of the deceased. There is no specific allegation made against them. There is no eye witness to the alleged occurrence. There is no circumstantial evidence to support the implication of the petitioner in the present

case. Merely on the basis of suspicion petitioners have been named in the present case.

On behalf of the State and the informant, it is submitted that petitioners are named in the F.I.R. and in previous also they have threatened the deceased. Hence, petitioners have been named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioners, 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 Sri Umashankar, learned Judicial Magistrate, 1st Class, Sikarahana at Dhaka, East Champaran, in connection with Chiraiya P.S. Case no. 156 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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