

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53657 of 2016

Arising Out of PS.Case No. -116 Year- 2016 Thana -VAISHALI District- VAISHALI(HAJIPUR)

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1. TUNNA SINGH @ TUNNA MAHTO, SON OF RAM CHANDRA MAHTO.
2. MANISH KUMAR.
3. SUNIL KUMAR. BOTH SONS OF DUKHIT MAHTO.
4. ASHA DEVI
5. USHA DEVI, BOTH ARE DAUGHTER OF DUKHIT MAHTO, ALL RESIDENT OF DUMARIYA MADHOPUR, P.S. BELSAR, O.P. DISTRICT VAISHALI.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : Mr. Prakash Chandra Jha, Advocate.

For the Opposite Party/s : Mr. T.P. Mandal (APP)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 27-01-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Vaishali (Belsar) P.S. Case No. 116 of 2016 registered under Sections 304(B) and 201 of the Indian Penal Code.

The accusation is of killing of the daughter of informant by her husband and in-laws due to non-fulfillment of demand of dowry and her dead body was thrown in the well.

Learned counsel for the petitioners submits that petitioner no. 1 is cousin father-in-law, petitioner nos. 2 and 3 are



brother-in-law and petitioner nos. 4 and 5 are married sister-in-law of the deceased, daughter of informant, and they have falsely been implicated in this case. In fact, deceased fell down in the well and the information was also given to the police about the incident but due to ulterior motive the present case has been lodged. Further submission is that while it is alleged in the F.I.R. to cause assault and thrown in the well but in the postmortem report, the cause of death is shown as asphyxia due to drown in the well and no external injury was found on the person of the deceased.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali, in connection with Vaishali (Belsar) P.S. Case No. 116 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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