

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2773 of 2017

Arising Out of PS.Case No. -48 Year- 2016 Thana -PATEPUR District- VAISHALI(HAJIPUR)

- =====
1. Bhadai Mahto Son of Bhagirath Mahto@Manni Mahto
 2. Papri Mahto@Ganeshi Mahto Son of late Tipan Mahto Both residents of Village- Rampur Teknari, P.S. Patepur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Soni

For the Opposite Party/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

- 3 13-02-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Patepur P.S. Case No. 48 of 2016 for the offences punishable under sections 304 (B) and 201 of the I.P.C.

Chinta Devi, the daughter of the informant, was married to Ramesh Mahto on 18.04.2016 and due to non fulfillment of demand of dowry by way of Rs. 1,00,000/- the husband and other co-accused including the petitioners killed Chinta Devi and cremated the dead body.

Submission is of false implication and that the



petitioners are co-villagers of husband of the deceased having no concern with the family affairs of the deceased and her husband, as the petitioners had taken part in the cremation in presence of the informant resulting they have been implicated in this case and as such the petitioners being the co-villagers deserve sympathetic consideration as against them there is no specific allegation.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioners.

In the facts and circumstances as stated above, considering that the petitioners are co-villagers of husband of the deceased having no specific allegation and as such the petitioners, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of. C.J.M. Vaishali at Hajipur in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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