

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31767 of 2017

Arising Out of PS.Case No. -67 Year- 2013 Thana -KHANPUR District- SAMASTIPUR

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1. Tej Narain Mahto, Son of Charitra Mahto.
2. Rekha Devi, Wife of Tej Narain Mahto, Both resident of Village-
Patpara, P.S. Khanpur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jagdhar Prasad

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 13-07-2017 No-one appears on behalf of the State.

The petitioners apprehend their arrest in connection with Khanpur P.S. Case No. 67 of 2013 registered for the offences punishable under Sections 304(B)/34 of the Indian Penal Code and under Section 34 of the Dowry Prohibition Act.

Learned counsel for the petitioners submits that although it is a case under Section 304(B)/34 of the Indian Penal Code, however there is absolutely no allegation against this petitioner. The petitioners are brother-in-law and sister-in-law respectively of the deceased and both of them are living in their own matrimonial home in a different village.

Learned counsel further submits that although the alleged occurrence is said to have taken place on 1.6.2013,



however, a complaint case was filed on 22.7.2013 and the same was referred to Khanpur Police Station for registering the F.I.R., giving rise to the present case.

Learned counsel for the petitioners submits that since there is no allegation against these petitioners, no custodial interrogation is required, the petitioners are however ready to co-operate in course of investigation.

In the facts and circumstances of the case, let the petitioners namely Tej Narain Mahto, and Rekha Devi in the event of their arrest/surrender before the court below within four weeks, from today, be enlarged on bail on furnishing bail bonds in the sum of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur, in connection with Khanpur P.S. Case No. 67 of 2013, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure. The petitioner shall immediately join investigation and shall report to the Investigating Officer within a week and thereafter as and when required to conclude the investigation at the earliest.

(Rajeev Ranjan Prasad, J)

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