

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55602 of 2016

Arising Out of PS.Case No. -60 Year- 2016 Thana -SIKTA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Naresh Mahto, Son of Late Balgovind Mahto.
 2. Uma Devi, Wife of Naresh Mahto.
 3. Ghanshyam Kumar @ Ghanshyam Mahto, Son of Naresh Mahto, All residents of Village- Haripur Dharampur, P.S.- Sikta, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Asharaf Ansari

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 08-02-2017 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 Sikta P.S. Case No. 60 of 2016 for the offence punishable under section 304 B/34 of the I.P.C.

Jyoti Devi, the younger sister of the informant, was married to Dipendra Mahto on 07.07.2016 and allegedly due to non fulfillment of demand of dowry by way of Alto Car the petitioners and the husband killed her by strangulating and after sprinkling kerosene oil on her face burnt her also.

Submission is of false implication and that petitioner



no.1 is old father-in-law, petitioner no.2 is old mother-in-law and petitioner no.3 is Devar of the deceased having no concern with the family affairs of the deceased and her husband, the husband is already in custody since 24.01.2017 after his surrender, there is no specific allegation against the petitioners, the allegations are omnibus and general in nature, the postmortem report does not support the prosecution version, the deceased received burn injury while she was cooking food but the informant has lodged this false case.

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

In the facts and circumstances as stated above, considering that there is no specific allegation against the petitioners and as submitted they are living separately 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. A.C.J.M-III, West Champaran at Bettiah in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

Abhay/-

(Jitendra Mohan Sharma, J)

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