

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43751 of 2017

Arising Out of PS.Case No. -26 Year- 2014 Thana -MARHAURA District- SARAN

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1. Tarkeshwar Mahato, son of Late Bindhyachal Mahato,
2. Shiv Charan Mahatom Son of Tarkeshwar Mahato,
3. Munari Devi, W/o Tarkeshwar Mahato,
4. Chinki Devi W/o Shiv Charan Mahato, All are R/o Village- Piyarpurwa,
P.S.- Marhowrah, District- Saran (Chapra) Petitioners

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioners : Mr. Sachida Nand Rai, Adv.

For the Opposite Party : Mr. Gauri Shankar Gupta, APP 95

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 21-09-2017 Heard both sides.

The petitioners apprehend their arrest in Marhowrah P.S. Case No. 26 of 2014 under Sections 304B/34 of the Indian Penal Code.

The father of the deceased alleged that he married his daughter with Satya Narayan Mahto, the son of petitioners 1 and 3, but, the petitioners and the husband of his daughter poisoned his daughter to death.

The learned counsel for the petitioners submits that the petitioners are father-in-law, mother-in-law, brother-in-law and sister-in-law of the deceased. The petitioners had earlier moved anticipatory bail in the year 2014 before the learned Sessions Judge, Saran at Chapra, but, the same was dismissed on 14.08.2014. The petitioners, again, filed petition for anticipatory bail before the learned Sessions Judge on the ground of compromise. But, it appears that the dead body of the deceased was cremated hurriedly without informing the informant.

The prayer for anticipatory bail of the petitioners was



firstly rejected on 14.08.2014, but, petitioners did not surrender and, again, after three years, filed petition for anticipatory bail.

Considering the facts, aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail.

The prayer for anticipatory bail is **rejected**.

If the petitioners surrender and pray for regular bail in the Court below, the leaned Court below shall consider the prayer, on it's own merit, without being prejudiced of this order.

(Prabhat Kumar Jha, J)

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