

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9796 of 2017

Arising Out of PS.Case No. -219 Year- 2016 Thana -BARAULI District- GOPALGANJ

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Raj Kumar Mahto & Ors

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 22-06-2017 Heard learned Counsel for the petitioners and

learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Barauli Police Station Case No. 219 of 2016, disclosing offences under Sections 304(B)/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that there is general and omnibus allegation against the petitioners and no specific overt act is attributed to them. In fact the petitioners happen to be the close relative of the husband of the deceased and they are innocent as they have got no concern with the alleged occurrence. As a matter of fact, the deceased sustained burn injury in an accident while she was cooking. Neither these petitioners have demanded any dowry nor they have assaulted or tortured the deceased ever. They also live



separately from the deceased and her husband. Hence, the petitioners deserve the privilege of anticipatory bail.

Learned A.P.P. has opposed the prayer for bail of these petitioners and submitted that there is direct allegation against the petitioners that they have killed the deceased by setting her on fire after pouring kerosene oil on account of non-fulfillment of demand of dowry.

Considering the facts and circumstances of the case, this Court is not inclined to grant the privilege of anticipatory bail to the petitioners. Accordingly, the prayer for anticipatory bail of the petitioners is rejected

(Arvind Srivastava, J)

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