

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30732 of 2016

Arising Out of PS.Case No. -7 Year- 2016 Thana -SAHIYARA District- SITAMARHI

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1. Anil Kumar, son of Parikshan Mahto
 2. Lalit Mahto, son of Parikshan Mahto
 3. Parikshan Mahto, son of late Ghulan Mahto
 4. Atbaria Devi, wife of Shri Parikshan Chaudhary
 5. Mahesh Mahto, son of late Jagdish Mahto
- All are residents of Village - Maniar Tola, P.S. - Sahiyara, District - Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar

For the Opposite Party/s : Mr. Arbind Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

4 22-03-2017 Heard learned counsels for the petitioners and the State.

The petitioners apprehend their arrest in connection with Sahiyara P. S. Case No. 07 of 2016 instituted under Sections 120B and 304B/34 of the Indian Penal Code.

The allegation, in brief, is that accused persons used to torture the deceased in connection with demand of dowry and killed her by poisoning.

Learned counsel for the petitioners submits that the petitioner nos. 1 and 2 are the brothers-in-law of the deceased means the brothers of the husband, petitioner no. 5 is the maternal uncle and petitioner nos. 3 and 4 are the father-in-law and mother-



in-law of the deceased and it is not a case of poisoning rather she committed suicide by taking insecticide and the husband of the deceased is in custody and these petitioners have no criminal antecedent.

Having perused the case diary, it appears that there is specific allegation against the husband, father-in-law and mother-in-law of the deceased and not against the rest of the petitioners. So considering the said facts, the prayer for anticipatory bail of petitioner nos. 3 and 4 is rejected.

However, prayer for anticipatory bail of petitioner nos. 1, 2 and 5, namely, **Anil Kumar, Lalit Mahto and Mahesh Mahto** respectively is allowed and they are directed to be released on bail, in the event of arrest or surrender before the court below within four weeks from today, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Sahiyara P.S. Case No. 7 of 2016; subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Arun Kumar, J)

Sujit/-

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