

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55442 of 2016

Arising Out of PS.Case No. -106 Year- 2015 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

- =====
1. Dharmendra Prasad, Son of Late Rahuni Mahto,
 2. Mulwa Devi, Wife of Dharmendra Prasad,
 3. Fulwa Devi, Wife of Late Rahuni Mahto All are residents of Village-
Dumari, P.S.- Silao, District- Nalanda
 4. Sunita Devi Wife of Lakshman Mahto,
 5. Lakshman Mahto @ Laxman Prasad, Son of Late Dukhan Mahto, Both
are residents of Village- Dumari, P.S.- Silao, District- Nalanda

.... Petitioners

Versus

1. The State of Bihar.
2. Janki Devi, wife of Rajendra Prasad, Resident of Village- Karanbiga,
P.S.- Parbalpur, District- Nalanda

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Satya Ranjan Sinha, Adv.

For the State : Mr. Harendra Prasad, APP 96

For the complainant : Mr. Dilip Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 17-02-2017 Heard the learned counsel for the petitioners, the
complainant and the State.

This is a petition for grant of anticipatory bail for
offences under Sections 498A, 304B and 201/34 of the Indian
Penal Code.

Allegation against the petitioners is commission of
death for dowry of Kanchan Kumari, wife of co-accused, Nand
Kishore Prasad.

The date of marriage is not mentioned in the
complaint petition. However, during investigation it revealed that
marriage was solemnized eight years back.

Initially Silao P.S. Case No. 122 of 2002 was
registered. The police submitted final form as mistake of fact.
However, the protest petition filed in the case was treated as
Complaint Case No. 106 C of 2015 and the Court below has taken



cognizance.

The learned counsel for the informant opposed the prayer for anticipatory bail.

Considering the fact that presumption of dowry death is not against the petitioners and there is no eye witness of the occurrence, the petitioners, above named, in the event of their arrest or surrender, within four weeks from the date of receipt of this order, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with **Complaint Case No. 106C of 2015** to the satisfaction of **Sri Ravindar Kumar, Judicial Magistrate, 1st Class, Nalanda at Biharsharif**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Birendra Kumar, J)

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