

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6016 of 2017

Arising Out of PS.Case No. -148 Year- 2016 Thana -BELHAR District- BANKA

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1. Sittu Kumar Son of Manjhi Mandal
2. Bhola Mandal @ Manjhi Mandal @ Bhali Mandal Son of Rajpati Mandal
3. Merkhi Devi Wife of Manjhi Mandal
4. Bittu Kumar Son of Manjhi Mandal
5. Kundan Kumar Son of Manjhi Mandal All Resident of Village-Situhar,
Police Station-Kharagpur, District-Munger.

.... Petitioner/s

Versus

1. The State of Bihar
2. Babulal Mandal Son of Mahatlal Mandal, Resident of Village-Chaura,
POlice Station-Belhar, District-Banka

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. Dr. Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 21-03-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehends their arrest in Belhar P.S.

Case No. 148 of 2016 instituted for the offence under sections
304(B), 201/34 of the Indian Penal Code.

It is alleged in the written report that the daughter of
the informant was married with petitioner no.1. She was tortured
in her Sasural for demand of dowry.

It has further been alleged that husband (petitioner
no.1) on 21.4.2016 told the informant that his daughter has
disappeared. Thereafter, the informant went to Sasural of his
daughter and found children of her daughter. The informant



suspected that the accused persons have killed his daughter and disappeared her dead body.

In this manner, from the written report, it appears that there is specific allegation of overt act against petitioner no.1 who is husband of the deceased.

Under such circumstances, this court is not inclined to grant anticipatory bail to petitioner no.1. Accordingly, the prayer for anticipatory bail of petitioner no.1 is rejected.

So far as petitioner nos. 2, 3, 4 and 5 are concerned, there is general and omnibus allegations against all these petitioners. They are family members of the petitioner no.1.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners 2, 3, 4 and 5 is allowed. In the event of surrender/arrest of the petitioners named above, within six weeks from today, in connection with Belhar P.S. Case No.148 of 2016, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sanjay Priya, J)

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