

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.63780 of 2018

Arising Out of PS.Case No. -86 Year- 2015 Thana -KHANPURA District- SAMASTIPUR

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1. Pankaj Kumar alias Pankaj Mahto alias Pankaj Mandal, S/O Late Rameshwar Mahto.
 2. Ranjan Mahto alias Ranjan Kumar @ Ranjan Kumar, S/O Late Rameshwar Mahto.
 3. Chhotu Kumar, S/O Late Rameshwar Mahto.
 4. Shail Devi alias Banna wali, W/O Late Rameshwar Mahto.
 5. Pintu Devi, W/O Pankaj Mahto. All are residents of village- Hansapur, P.S. Khanpur, District-Samastipur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sujit Kumar Singh, Advocate.
For the Opposite Party : Mr. Rajesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-10-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 304(B)/34 of the IPC.

The prosecution story, in brief, is that the accused
persons including the petitioners killed the victim due to non-
fulfilment of demand of dowry.

It has been submitted by learned counsel for the
petitioners that the petitioners have got no criminal antecedent.
There is no allegation of tampering with the witnesses alleged
against the petitioners. The petitioners have been made accused in



the present case due to mistake of fact. The petitioner no. 1 is *Bhaisur*, petitioner nos. 2 and 3 are *Dewars*, petitioner no. 4 is mother-in-law and petitioner no. 5 is *Gotani* of the deceased. They are separate in mess and property from the husband of the deceased. The husband of the deceased has already been granted regular bail by another the then Co-ordinate Bench of this Court vide Cr. Misc. No. 12407 of 2016 order dated 05.05.2016.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Magistrate, Samastipur, in connection with Khanpur P.S. Case No. 86 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

