

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59748 of 2017

Arising Out of PS.Case No. -201 Year- 2017 Thana -DHAMDHAHA District- PURNIA

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1. Shankar Mehta, S/o Ram Nath Mehta,
2. Golu Mehta, S/o Ram Nath Mehta,
3. Ram Nath Mehta S/o Shiv Ram Mehta,
4. Ram Bhajan Mehta S/o Raghunath Mehta,
5. Kanchan Devi W/o Shankar Mehta, All are R/o Village- Bhotiya, P.S.-
Dhamdaha, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 05-01-2018 Heard the learned counsel for the petitioners and the
learned APP for the State.

This is an application for grant of anticipatory bail in connection with Dhamdaha P.S. Case No. 201 of 2017 registered for the offence punishable under Sections 302, 201 and 34 of the Indian Penal Code.

The present case has been instituted at the instance of Chaukidar of another village wherein it has been stated that one girl of village Bhotiya had died after taking poison and upon enquiry it had come to light that the said girl had been treated by the local doctor for poisoning, however, she died during the course of treatment. It has also been alleged that thereafter the villagers saw the younger



brother of the deceased bearing *kafan* after giving *mukhagani* to the dead body and upon enquiry the family members are said to have fled away. However, the dead body of the victim girl could not be traced out.

The learned counsel for the petitioners submits that the petitioners are blood relation of the victim girl i.e. the mother, father, brother etc. and there is no motive for killing the said girl.

This Court had called for the case diary and from perusal of the case diary it transpires that the investigation is still going on.

The learned counsel for the petitioners further submits that the petitioners have clean antecedent and they have deep root in the society.

Considering the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Dhamdaha P.S. Case No. 201 of 2017 subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure.

It is directed that the petitioners would cooperate and join the investigation and in case the Prosecution finds that the petitioners are not cooperating in the investigation, they would be at liberty to move this Court for cancellation of bail of the petitioners.

(Mohit Kumar Shah, J)

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