

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51876 of 2018

Arising Out of PS.Case No. -64 Year- 2018 Thana -DESARI District- VAISHALI(HAJIPUR)

- =====
1. Sandip Mahto, Son of Baleshwar Mahto.
 2. Vijay Mahto, Son of Baleshwar Mahto. Both residents of Village
Nayagaon, Nayatola (Bind Tola) P.S. Desari, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sunil Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-10-2018 Heard the learned counsel for the petitioners and the

learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Desari P.S. Case No.64 of 2018 registered for the offence punishable under Sections 304(B) and 201/34 of the Indian Penal Code.

The allegation as per the prosecution is that on account of the accused persons having not met the demand of dowry, the FIR named accused persons had killed the deceased lady and tried to dispose of her dead body.

The learned counsel for the petitioners submits that the petitioners are *Bhaisur* of the victim lady and they are separate by metes and bounds as has been stated in paragraph no. 10 of the



bail petition and the deceased lady was married about 8-9 years back, hence the petitioners do not have any role to play in the alleged incident. It is further submitted that the petitioners are having a clean antecedent and are not accused in any other case.

Having regard to 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 four weeks from today, on anticipatory bail, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Judge-III-cum-A.C.J.M., Vaishali at Hajipur in connection with Desari P.S. Case No. 64 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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