

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62996 of 2017

Arising Out of PS.Case No. -94 Year- 2017 Thana -SUR YAGARHA District- LAKHISARAI

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1. Pooja Devi, Daughter of Nageshwar Mahto,
2. Chandan Mahton @ Chandan Roy, Son of Nageshwar Mahto, Both
resident of Village- Mohammadpur, Barai Tola, P.S.- Surajgarha, District-
Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-01-2018 Heard the learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners seek anticipatory bail in connection with
Surajgarha PS case no. 94 of 2017 registered for the offences
punishable under Section 304(B) of the Indian Penal Code.

In the present case, the dead body of the deceased was found
from a Well and she is said to have been wearing ornaments and
'mangalsutra'. It is alleged that the accused persons had killed the
deceased on account of non-fulfillment of demand of dowry.

The learned counsel for the petitioners submits that the
petitioner no.1 is the sister-in-law of the deceased and the
petitioner no.2 is the brother-in-law of the deceased and one day
prior to recovery of the dead body of the deceased, the petitioner



no.1 was married and in the morning of the day on which the dead body was recovered, she was being sent to her matrimonial place. The learned counsel for the petitioners submits that it is highly improbable that a girl, who is being married, will commit such crime. It is also submitted that the husband is already in custody, hence no prejudice would be caused if the petitioners are granted bail.

Having regard to the facts and circumstances of the case, more particularly the fact that the husband is in custody, I deem it fit and proper to enlarge the petitioners on anticipatory bail.

Accordingly, in the event of arrest or surrender within six weeks before the concerned court, the petitioners above named are directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Lakhisarai in connection with Surajgarha PS case no. 94 of 2017, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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