

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39394 of 2018

Arising Out of PS.Case No. -162 Year- 2016 Thana -SAHEBGANJ District- MUZAFFARPUR

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Jitendra Mahto @ Jitendra Kumar Mahto, S/o Sri Lakhindar Mahto,
Resident of Village- Dhanaiya, P.S.- Sahebganj, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 09-07-2018

Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner being the husband of the
victim is apprehending his arrest in a case registered for the
offences punishable under Sections 304B and 201/34 of the
Indian Penal Code.

The prosecution case as per the written report
of Bimlesh Mahto submitted to the Station House Officer,
Sahebganj P.S., is to the effect that the sister of the informant,
Bina Devi was married with the petitioner in 2014.
Subsequently, further dowry demand of Rs.1,00,000/- and



Apache motorcycle were made but for non-fulfillment of the same the sister of the informant was being tortured in various ways including assault at the hands of the petitioner and other family members. On 19.07.2016 at 9.30 A.M. one Sanjay Mahto informed the informant that the sister of the informant has gone traceless, upon which the informant went to the in-laws house of his sister and he found that his sister has been killed and the dead body has been disposed of.

It is submitted by learned counsel for the petitioner that the victim is not dead rather she has deserted the petitioner's family and has gone somewhere and the investigation is still pending.

Learned APP, however, submits that the thrust of accusation is against the petitioner.

Keeping in view the fact that the victim went traceless from the house of the petitioner and there is nothing on record to suggest that any effort was made by the petitioner to inform the police and the present case has been initiated at the instance of the brother of the victim, this Court is not inclined to grant anticipatory bail to the petitioner in connection with Sahebganj P.S. Case No. 162 of 2016, pending in the Court of learned S.D.J.M. (West), Muzaffarpur.



Accordingly, the prayer for anticipatory bail
of the petitioner is rejected.

(Dinesh Kumar Singh, J)

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