

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62645 of 2018

Arising Out of PS.Case No. -9 Year- 2017 Thana -SIMULTALLA District- JAMUI

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1. Kailash Burma @ Kailash Kumar @ Kailu, Son of Lekho Mahto
2. Sintu Kumar Burma @ Sintu Kumar, Son of Basudeo Mahto,
Both are resident of Village Kuraba, P.S. Simultalla, Dist- Jamui
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate

For the Opposite Party/s : Smt. Asha Devi, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 08-10-2018 Heard learned counsel for the petitioners and the
learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Simultalla P.S. Case No.9 of 2017, G.R. No.715 of 2017 for allegedly having committed the offence under Sections 304B, 120(B) and 201 of the Indian Penal Code and Section 34 of the Dowry Prohibition Act.

Learned counsel for the petitioners submits that petitioner no.1 is a co-villager whereas petitioner no.2 is the younger brother-in-law of the deceased lady. Learned counsel for the petitioners further submits that there is no specific allegation of overt act against these petitioners and earlier Jhajha Railway Police had lodged a U.D. case, bearing U.D. Case No.01 of 2017, but as an afterthought, after a lapse of 18 days a complaint case has been filed without there being any



plausible explanation for the delay. Learned counsel for the petitioners submits that similarly situated co-accused persons, namely, Basudeo Mahto (father-in-law), Mulwa Devi (mother-in-law) and Budhu Mahto (villager) have since been extended the privilege of anticipatory bail in Cr. Misc. No.11445 of 2018, vide order dated 03.04.2018.

Considering the aforementioned facts and circumstances and that these petitioners have no criminal antecedents, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui, in connection with Simultalla P.S. Case No.9 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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