

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57064 of 2019

Arising Out of PS. Case No.-127 Year-2019 Thana- AKBARPUR District- Nawada

1. BACHIYA DEVI, aged about 65 years, Female, wife of Shital Mahto
2. Sunil Kumar, aged about 42 years/Male, Son of Shital Mahto Resident of village- Paijuna, Police Station- Akbarpur, Distict- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajendra Narain, Sr. Advocate Mr.Rabi Bhushan Prasad No. 1 Mr. Prakash Bhargava, Advocates
For the Opposite Party/s :		Mr.Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 20-11-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 304(B)/201/34 of the Indian Penal Code.

The informant who is brother of deceased has alleged that his sister was married with Babloo Kumar, Son of Shital Mahto in the year 2013 but after marriage, her husband and other in-laws subjected her to all sorts of torture for non-fulfillment of demand of dowry. On 09.04.2019, the informant got information that his sister was killed and her dead body was cremated hurriedly.

It has been submitted on behalf of the petitioners that



they are innocent and have falsely been implicated in this case due to village politics. Petitioner no.1 is mother-in-law, who is 65 years old and petitioner no.2 is bhaisur of the deceased. It has been further submitted that there is general and omnibus allegation against these petitioners. Similarly placed co-accused Murari Mahto @ Girja Mahto has already been granted bail by a co-ordinate Bench of this Court vide order dated 18.09.2019 passed in Cr. Misc. No.57412 of 2019. Petitioners have no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned court below in connection with Akbarpur P.S. Case No.127/2019 subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be



present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel their bail bonds.

(3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

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