

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9693 of 2020**

Arising Out of PS. Case No.-326 Year-2019 Thana- PAROO District- Muzaffarpur

1. RAMESHWAR MAHTO @ KAMESHWAR MAHTO, S/o Sukul Mahto @ Sukun Mahto,
 2. Indu Devi, W/o Rameshwar Mahto @ Kameshwar Mahto,
 3. Ajay Mahto, S/o Rameshwar Mahto @ Kameshwar Mahto,
 4. Sima Devi, W/o Ajay Mahto,
- All are R/o village- Bhagwatpur, P.S.- Paru, District- Muzafarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 16369 of 2020

Arising Out of PS. Case No.-326 Year-2019 Thana- PAROO District- Muzaffarpur

SANJAY MAHTO, Son of Kameshwar Mahto @ Rameshwar Mahto,
Resident of Village - Bhagwatpur, Police Station - Paru, District -
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 9693 of 2020)

For the Petitioner/s : Mr.Sachin Kumar

For the Opposite Party/s : Mr.Meena Singh

(In CRIMINAL MISCELLANEOUS No. 16369 of 2020)

For the Petitioner/s : Mr.Sachin Kumar

For the Opposite Party/s : Mr.Renuka Ratnakar

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 30-06-2020

Reg. Cr. Misc. No. 9693/2020

This case has been heard through video-conferencing.

Heard learned counsel for the petitioners and learned



APP for the State.

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

Allegation against the petitioners are of killing the victim due to non-fulfillment of demand of dowry.

Learned counsel for the petitioners submits that the petitioners are innocent and they have in fact committed no offence. Nothing has happened as in the manner alleged rather the deceased died of her natural death and when informant came to know about actual fact, she filed a petition before the court below regarding innocence of petitioners. Moreover, petitioners are living separately and they have no manner of concern with the family affairs of either deceased or her husband. The petitioner has no criminal antecedent.

Learned APP for the State opposes the prayer for bail petition.

In the aforesaid facts and circumstances of the case, I am inclined to grant anticipatory bail to the above named petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on



furnishing bail bonds of Rs. 25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IIIrd, (West) Muzaffarpur in connection with Paroo P.S. Case No. 326 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

Reg: Cr. Misc. No. 16369/2020

Considering the aforesaid facts and circumstances, petitioner namely Sanjay Mahto is the husband of the deceased, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioners are rejected in connection with aforesaid case.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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