

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15178 of 2020

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Binod Mahto son of late Chhedi Mahto resident of village+post Ghoshhai P.S
Chousa District Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma, Advocate

For the Opposite Party/s : Ms.Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 09-09-2020 Heard learned counsel for the petitioner and learned
counsel for the State through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Chousa P.S. Case no. 9 of 2010 registered under sections 304B, 201 and 34 of the Indian Penal Code.

As per allegation in the FIR, it is stated by the informant that his sister who was married to the petitioner herein was tortured for non-fulfilment of the demand of dowry. All the accused persons including the petitioner herein killed the informant's sister and disposed off the body.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and concocted. The petitioner has been falsely implicated only for the reason that he happens to be the husband of the informant's sister. It is further submitted that the witnesses in course of



investigation have supported the fact that she always used to flee away with her brother-in-law. Referring to Annexure-2 to the petition which is a public notice sent by the Chief Officer (SHO) Police Station Maqsoodan, Jalandhar dated 3.3.2010, it is submitted that the informant's sister had left the house without any information and all efforts to trace her went in vain. It is thus submitted that the petitioner, immediately after the occurrence, had filed a missing persons report with respect to the disappearance of his wife in the police station at Jalandhar. The allegations as levelled in the FIR are false. The petitioner has no criminal antecedent.

The application for bail is opposed by learned counsel for the State.

Having heard learned counsel for the parties and taking into consideration the fact that the FIR in which the instant application for bail has been moved is of the year 2010, the petitioner is the husband of the sister of the informant who is still traceless and the allegations as made in the FIR, the Court is not inclined to enlarge the petitioner on anticipatory bail and as such his application for anticipatory bail is rejected.

(Partha Sarthy, J)

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