

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38296 of 2020

Arising Out of PS. Case No.-157 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

-
1. AMRIT MAHTO Son of Late Johabe Mahto @ Late Jaharu Mahto Resident of Village- Koriya, P.S.- Muffasil, District- Begusarai, presently residing at Mohalla- Lallu Pokhar, Ward No. 29, P.S.- Kashim Bazar, District- Munger.
 2. Arjun Mahto Son of Late Johabe Mahto @ Late Jaharu Mahto Resident of Village- Koriya, P.S.- Muffasil, District- Begusarai, presently residing at Mohalla- Lallu Pokhar, Ward No. 29, P.S.- Kashim Bazar, District- Munger.
 3. Bachhi Devi Wife of Arjun Mahto Resident of Village- Koriya, P.S.- Muffasil, District- Begusarai, presently residing at Mohalla- Lallu Pokhar, Ward No. 29, P.S.- Kashim Bazar, District- Munger.
 4. Runa Devi Daughter of Amrit Mahto, Wife of Amit Kumar Resident of Village- Koriya, P.S.- Muffasil, District- Begusarai, presently residing at Mohalla- Lallu Pokhar, Ward No. 29, P.S.- Kashim Bazar, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Adv.
For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-11-2021 Heard the parties.

Learned counsel for the petitioners is directed to remove the defects as pointed out by the office within a period of four weeks. In the eventuality of non-removal of defects within the stipulated time, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case in connection with Muffasil P.S. Case No.157 of 2020, registered for the offence punishable under Sections 498 (A), 304(B), 201,



34 of the Indian Penal Code.

The allegation against the petitioners is that they being the in-laws of the informant's daughter have killed her for the non-fulfillment of demand of dowry and concealed the dead body. When the informant reached her sasural, she found the door was locked. Thereafter, the FIR was lodged.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case on the basis of baseless and concocted allegation. No such occurrence as alleged ever took place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. There is no eye-witness of the alleged occurrence. The petitioners were living separately from the daughter of the informant and they have no concern with her day to day life. It is submitted that the husband of the deceased is already in custody. The petitioners have no criminal antecedent, as mentioned in para-3 of the anticipatory bail application.

Learned APP for the State opposed the prayer for grant of anticipatory bail and submitted that the daughter of the informant has been killed by the petitioners due to non-fulfillment of demand of dowry and her dead body was thrown



far away for concealment. After getting this information, when the informant reached her daughter's matrimonial house, she found the door was locked and nobody was present in the house.

Having regard to the facts and circumstances of the case and considering the nature of case, I am not inclined to grant anticipatory bail to the petitioners named above.

Accordingly, the instant application is hereby dismissed.

However, the petitioners are directed to surrender before the learned court below within a period of four weeks from today.

The learned trial court is directed to consider and dispose of the case of the petitioners on its own merit, on the same date without being prejudiced by this order.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

