

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3762 of 2021

Arising Out of PS. Case No.-88 Year-2015 Thana- VAISHALI District- Vaishali

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1. SURAJ KUMAR S/o Sanjay Mahto Resident of Village - Husena Raghav, P.S. - Vaishali, District - Vaishali
 2. ANITA DEVI W/o Sanjay Mahto Resident of Village - Husena Raghav, P.S. - Vaishali, District - Vaishali
 3. SURESH MAHTO S/o Baswari Mahto Resident of Village - Husena Raghav, P.S. - Vaishali, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar
For the Opposite Party/s : Mr. N. N.Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-07-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Learned counsel for the petitioners seeks permission
of the Court to withdraw this application in respect of petitioner
no. 3 as he has been taken into judicial custody.

Permission is accorded.

The application is dismissed as withdrawn in respect
of petitioner no. 3.

Learned counsel for the petitioner nos. 1 and 2 is
directed to remove the defects, as pointed out by the Office,
within a period of four weeks from the date of restoration of



normalcy.

The petitioner nos. 1 and 2 are apprehending their arrest in a case registered under Sections 304(B), 201 and 34 of the Indian Penal Code.

Allegation against the accused persons is of committing torture and assault and thereafter caused death of the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner nos. 1 and 2 that they have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner nos. 1 and 2. The petitioner nos. 1 and 2 have falsely been implicated in the present case. They are agauas who mediated the marriage. The petitioner nos. 1 and 2 are separate in mess and property from the husband of the deceased. They have got no concern with the alleged occurrence. The husband of the deceased is in custody.

On behalf of the State, it is submitted that the petitioner nos. 1 and 2 are named in the F.I.R.

Considering the aforesaid facts and circumstances and also the lockdown, the petitioner nos. 1 and 2, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released



on anticipatory bail on their personal bonds to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 88/15, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner nos. 1 and 2 shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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