

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5211 of 2021

Arising Out of PS. Case No.-459 Year-2020 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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1. RAJA RAM MAHTO Son of Tilo Mahto Resident of Village-Bhadas North, Ward No.-13, P.S.-Chitragupta Nagar, District-Khagaria.
 2. San Devi @ Shanti Devi Wife of Tilo Mahto Resident of Village-Bhadas North, Ward No.-13, P.S.-Chitragupta Nagar, District-Khagaria.

... .. Petitioner/s

Versus

The STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh

For the Opposite Party/s : Mr. C. Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 08-04-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the Office, within a period of four weeks.

The petitioners are apprehending their arrest in a case registered under Sections 304(B) 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 petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The



petitioners have falsely been implicated in the present case. The petitioner no. 1 Bhaisur and petitioner no. 2 mother-in-law of the deceased. They are separate in mess and property from the husband of the deceased. The informant has filed an application in the Court below in which he has retracted from his earlier statement made in the F.I.R. The said application is Annexure-2 to the present application.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Khagaria (Muffasil) P.S. Case No. 459 of 2020, G.R. No. 1924/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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