

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27154 of 2021

Arising Out of PS. Case No.-299 Year-2020 Thana- DARIYAPUR District- Saran

1. GOPI MAHTO Late Langar Mahto @ Lachan Mahto Resident of village - Tarawa Mangarpal (Tedha Par), Police Station - Dariyapur, District - Saran at Chapra.
2. Pancham Mahto Son of Late Langar Mahto @ Lachan Mahto Resident of village - Tarawa Mangarpal (Tedha Par), Police Station - Dariyapur, District - Saran at Chapra.
3. Sursatiya Devi Wife of Gopi Mahto Resident of village - Tarawa Mangarpal (Tedha Par), Police Station - Dariyapur, District - Saran at Chapra.
4. Wakil Mahto Son of Gopi Mahto Resident of village - Tarawa Mangarpal (Tedha Par), Police Station - Dariyapur, District - Saran at Chapra.
5. Munna Kumar Son of Gopi Mahto Resident of village - Tarawa Mangarpal (Tedha Par), Police Station - Dariyapur, District - Saran at Chapra.
6. Shobha Mahto wife of Wakil Mahto Resident of village - Tarawa Mangarpal (Tedha Par), Police Station - Dariyapur, District - Saran at Chapra.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Satya Prakash
For the Opposite Party/s	:	Mr. AAP
For the Informant	:	Mr. Ajit Kr. Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 29-01-2022 It appears from order dated 19.7.2021 that application with respect to petitioner no. 2 has already been dismissed as withdrawn.

This matter has been taken up for hearing online because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioners and learned APP for the State.



Learned counsel for the petitioners is expected to honour his undertaking to remove the defects as pointed out by the office when called upon to do so by the office.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Dariyapur P.S. Case no. 299 of 2020 instituted for the offence under Sections 304(B), 201/34 of the Indian Penal Code.

As per allegation in the FIR, petitioners have tortured in various ways to the daughter of the informant, namely, Puja Kumari due to non-fulfillment dowry demand and ultimately they killed her.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have been falsely implicated in this case. They have never demanded any thing from the daughter of the informant. They have no concern with the daily activity of the deceased and her husband. They are living separately. The sole responsibility to take care of wife is upon husband of the deceased and not against the petitioners. Husband of the deceased has already been granted regular bail by a co-ordinate Bench of this Court vide order dated 18.1.2022 passed in Cr. Misc. No. 20709 of 2021.



Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner nos. 1 and 3 to 6 on bail. The petitioner nos. 1 and 3 to 6 are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Dariyapur P.S. Case no. 299 of 2020, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- 13th, Saran at Chapra subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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