

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60930 of 2021**

Arising Out of PS. Case No.-20 Year-2021 Thana- BIRUPUR District- Lakhisarai

1. Chandan Mahto Avadhesh Mahto R/o village- Turkaijani, P.S.- Birupur, District- Lakhisarai
2. Avadhesh Mahto S/o Late Saryug Mahto R/o village- Turkaijani, P.S.- Birupur, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Dharmendra Kumar Raju  
For the Opposite Party/s : Mr.Ram Bilash Roy Raman

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      05-07-2022                      Heard both parties.

The petitioners apprehend their arrest in Birupur P.S.  
Case No. 20 of 2021, registered for the offences punishable  
under Sections 302/34 of the Indian Penal Code.

Prosecution case in brief is that the sister of informant  
(deceased) was married with petitioner no. 1 ten years back.  
Both the petitioners used to assault her and she was done to  
death by these petitioners.

It is submitted on behalf of petitioners that in fact the  
deceased had illicit relation with one Sachin Kumar from before  
her marriage and the said relation continued and on 02.05.2021  
Sachin Kumar was caught by the petitioner and family members



when he came to meet the deceased at her matrimonial house. A panchayati was held and it was decided to let the deceased to get marry with Sachin Kumar and a paper was made under the signature of Sarpanch along with 25 villagers in which it is stated that they willfully solemnized marriage and the deceased went along with Sachin Kumar and the said paper is annexure as Annexure-2 to this petition. Petitioner no. 1 is husband and petitioner no. 2 is father-in-law of the deceased.

Counsel for State opposed the prayer for bail and submitted that dead body was recovered at the *Dalaan* of petitioners.

Considering the facts aforesaid and gravity of offence, I am not inclined to enlarge the petitioners above-named on anticipatory bail. Accordingly, the same is rejected.

**(Prabhat Kumar Singh, J)**

vinita/-

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