

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64940 of 2021

Arising Out of PS. Case No.-75 Year-2021 Thana- ALAMNAGAR District- Madhepura

1. SHATRUGHAN MANDAL Son of Kare Mandal Resident of Village - Panchbhira Basa, P.S.- Alamnagar (Ratwara O.P.), District - Madhepura.
2. Pabo Devi @ Pawo Devi Wife of Shatrughan Mandal Resident of Village - Panchbhira Basa, P.S.- Alamnagar (Ratwara O.P.), District - Madhepura.
3. Mantu Mandal Son of Shatrughan Mandal Resident of Village - Panchbhira Basa, P.S.- Alamnagar (Ratwara O.P.), District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 20-07-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

At the outset, learned counsel for the petitioners has submitted that during the pendency of this anticipatory bail application, petitioner no.1 has been arrested and, as such, the same has become infructuous. He, therefore, seeks permission to withdraw this application as against petitioner no.1.

In view of the aforesaid submission, the application is dismissed as withdrawn as **having become infructuous as against petitioner no.1.**



Petitioner nos. 2 and 3 apprehend their arrest for the offences alleged under Sections 302/34 of the Indian Penal Code, registered in connection with Alamnagar (Ratwara O.P.) P.S.Case No. 75 of 2021.

As per allegation, the daughter of the informant Gudia Devi was married to Sikandra Mandal ten years prior to lodging of the FIR. The accused persons subjected her to cruelty for non-fulfilment of dowry demand. In the night of 4th April, 2021 the informant came to know that the accused persons including the petitioner committed the murder of the deceased by strangulating her throat.

Learned counsel for the petitioners has submitted that they are innocent and have falsely been implicated in this case. Petitioner no.2 is mother-in-law and petitioner no.3 is devar of the deceased having no concern with the dowry demand. He has submitted further that the small children of the deceased are residing with the petitioners. The husband and father-in-law of the deceased are in custody.

On the other hand, the learned APP Mr. J.N.Thakur has opposed the prayer for anticipatory bail and submitted that petitioners and other co-accused strangulated the deceased to death.



In the impugned order it has been mentioned that the cause of death was due to strangulation. The FIR itself shows that there is allegation against the petitioners and other accused persons that they strangled the deceased to death. As such, petitioner nos. 2 and 3 do not deserve the privilege of anticipatory bail. Their prayer for anticipatory bail is hereby rejected.

Office shall ensure that all the defects are removed by the petitioners within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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