

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29642 of 2023

Arising Out of PS. Case No.-336 Year-2022 Thana- DALSINGHSARAI District- Samastipur

1. Ganesh Kumar Mahto @ Ganesh Kumar @ Gangesh Kumar Son Of Bindeshwar Mahto Resident Of Village- Ward No. 01, Bambaiya Harlal, Ps- Dalsing Sarai, Distt- Samastipur
2. Renu Devi @ Rinku Kumari Wife Of Ganesh Kumar Mahto Resident Of Village- Ward No. 01, Bambaiya Harlal, Ps- Dalsing Sarai, Distt- Samastipur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar
For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-07-2023 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 363/ 34 of the Indian Penal Code and Sections 3 and 4 of the D. P. Act.

3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that her daughter was married to Amit Kumar son of Bindeshwar Mahto. After marriage, accused persons including the petitioners were demanding an Alto Car and on account of non-fulfilment of the demand, it is alleged that his



daughter was killed and to conceal the evidence, the body was disappeared.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is next submitted that though allegation is of killing of the daughter of the informant, but then, the F.I.R. has been instituted under Section 363 and 34 of the I.P.C. read with Sections 3 and 4 of the Dowry Prohibition Act. It is thus submitted that the victim is still missing and the petitioner no.1 is elder brother-in-law of the victim and is in the Indian Army and petitioner no.2 is his wife. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the allegation against them are general and omnibus in nature. It is further submitted that whenever any occurrence of the nature as alleged in the F.I.R. is committed, the entire family members in a mechanical manner get implicated. It is next submitted that husband of the victim is in custody. It is further submitted that though the allegation in the F.I.R. is of killing of the daughter of the informant, but then F.I.R. has been instituted under Sections 363 and 34 of the I.P.C. read with Section 3 and 4 of the D. P. Act.

5. Learned A.P.P. along with learned counsel for the



informant opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1, Dalsingsarai, Samastipur in connection with Dalsing Sarai P. S. Case No.336 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

