

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69654 of 2023

Arising Out of PS. Case No.-357 Year-2022 Thana- KOTWA District- East Champaran

1. Rakesh Mahto @ Rakesh Kumar Son Of Sohan Mahto Resident Of Village- Barharwa Kala, Ps Kotwa, Distt- East Champaran
2. Rupesh Mahto Son Of Sohan Mahto Resident Of Village- Barharwa Kala, Ps Kotwa, Distt- East Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Praveen Kumar, Advocate

For the Opposite Party : Mr .Pramod Kumar Pandey, APP

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

ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Kotwa P.S. Case No. 357 of 2022, registered for the offences punishable under Sections-304(B), 120(B) and 34 of the Indian Penal Code.

3. Allegation against the petitioners is of killing the informant's daughter by strangulating her due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioners has submitted that the petitioners are younger brothers of husband of the deceased. They have got no concern with day-to-day affairs of husband of the deceased. The husband of the deceased was taken into custody and



later on, he has been granted bail by this court. He has further submitted that when the informant's side realized the mistake, a petition has been filed on his behalf disclosing the innocence of the accused persons.

5. On the other hand, learned Additional Public Prosecutor appearing for the State has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances, let the petitioners, named above, in the event of their arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate or the successor court of ACJM-Ist or any subsequent Successor Court, East Champaran, Motihari in connection with Kotwa P.S. Case No. 357 of 2022, subject to the conditions as laid down under section 438(2) of the CrPC.

The petitioners shall remain present on each and every date fixed by the trial court and if, the petitioners fail to do so on three consecutive dates, the court below shall be at liberty to cancel the bail bond of the petitioners.

(Nawneet Kumar Pandey, J)

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