

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10130 of 2024

Arising Out of PS. Case No.-586 Year-2023 Thana- CHAPRA TOWN District- Saran

1. Shiv Lagan Mahto Son Of Late Satan Mahto Resident Of Village- Chhota Telpa, Ps- Chapra Town, Dist- Saran At Chapra
2. Maida Mahto @ Baliram Mahto Son Of Late Shobha Mahto Resident Of Village- Chhota Telpa, Ps- Chapra Town, Dist- Saran At Chapra
3. Dalda Mahto Son Of Late Shobha Mahto Resident Of Village- Chhota Telpa, Ps- Chapra Town, Dist- Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh
For the Opposite Party/s : Mr. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-02-2024 1. Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Chapra Town P.S. Case No.586/2023, registered for the offence punishable under Sections 304(B) and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that the petitioners are cousin father-in-law of the deceased and they have been falsely implicated in the present case by the informant alleging that they were also instrumental in torturing and assaulting the deceased for non-fulfillment of dowry demand. It is next submitted that petitioners have no concern with day to day affairs of the husband of the deceased or his family members. It is



next submitted that whenever any such occurrence as alleged in the F.I.R. takes place, the entire family members are implicated in a mechanical manner with general, omnibus and ornamental allegation. It is also submitted that the informant is not an eyewitness to the occurrence. The learned counsel submits that petitioners will not abscond rather will co-operate in the investigation.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. 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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Town P.S. Case No.586/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to his notice that the petitioners despite giving assurance to this court are not co-operating in the



investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

(Satyavrat Verma, J)

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