

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7617 of 2024

Arising Out of PS. Case No.-671 Year-2023 Thana- GOPALPUR District- Patna

1. Neetu Devi @ Neetu Kumari wife of Sanu Mahto @ Sonu Kumar Mahto @ Sanu Kumar Mahto Village- Manpur Bairiya Ps- gopalpur Dist- Patna
2. Sanu Kumar Mahto son of Ram Nath Mahto Village- Manpur Bairiya Ps- gopalpur Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Deepak Sinha
For Informant	:	Mr. Pankaj Kumar Sinha, Adv.
	:	Mr. Aatish Kumar, Adv.
	:	Ravi Ranjan Mallick, Adv.
For the Opposite Party/s	:	Mr. Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 26-02-2024 Learned counsel for the petitioners are permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Gopalpur P.S Case No. 671 of 2023 registered for the offence punishable u/s 304(B), 120(B), 201 and 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioners and the co-accused persons are alleged to have tortured and killed the



informant's daughter due to non-fulfillment of demand of dowry.

5. Learned counsel for the petitioners submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners were accused in one more criminal case in which they were acquitted as stated in para 3 of the bail petition. Learned counsel further submits that the petitioner no. 1 is gotini (wife of brother-in-law) of the deceased and the petitioner no. 2 is Bhaisur (elder brother of deceased's husband) of the deceased. The petitioners are separate in mess and have no concern with family affairs of the deceased or her husband. The informant is not an eye-witness to the alleged occurrence. The entire case is filed on the basis of suspicion and presumption and there is no specific allegation against the petitioners. The petitioners never demanded any dowry or tortured the deceased.

6. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners.

7. Considering the aforesaid facts and circumstances of the case, as well as the allegation being general and omnibus against the petitioner, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond



of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna in connection with Gopalpur P.S. Case No. 671 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

jyoti/-

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

