

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14046 of 2024

Arising Out of PS. Case No.-487 Year-2023 Thana- PAROO District- Muzaffarpur

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1. FIROJ MAHTO @ SHARVAN KUMAR, Male, aged about 26 years
 2. ANAND KUMAR, Male, aged about 24 years,
 3. PAWAN KUMAR, Male, aged about 22 years,
- All are S/O MAHANGU MAHTO
All are R/O VILLAGE- FANDA, P.S- PAROO, DISTT.- MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratneshwar Prasad, Advocate
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-03-2024 Heard Mr. Ratneshwar Prasad, learned counsel
appearing on behalf of the petitioners and Mr. Chandra Sen
Prasad Singh, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Paroo P.S. Case No. 487 of 2023 dated 13.11.2023
registered for the offence(s) punishable under Sections 304(B),
201 and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the
petitioners and other co-accused persons used to demand dowry
and for non-fulfillment of the same, the petitioners and other
family members including the husband of the deceased
committed murder of the daughter of the informant and



thereafter disappeared her body.

4. Learned counsel appearing on behalf of the petitioners submitted that from the allegation made in the FIR, it appears that direct allegation is against the husband of the deceased, who, after living separately along with the deceased, used to demand dowry and for non-fulfillment of the same, he has killed the daughter of the informant. The petitioners are the younger brothers of the main accused/Saroj Kumar (husband of the deceased) and they have no role in the alleged commission of the murder of the daughter of the informant.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR, it appears that specific allegation is against the husband of the deceased, who used to demand dowry and for non-fulfillment of the same, he committed murder to the daughter of the informant. No specific allegation has been made against the petitioners. I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or



surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. F.C., Court No.2, Muzaffarpur in connection with Paroo P.S. Case No. 487 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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