

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83062 of 2024

Arising Out of PS. Case No.-81 Year-2020 Thana- RAXAUL District- East Champaran

Kanhaiya Kumar S/O Ramanand mahto Resident of village-Laxmipur,PS-
raxaul district- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar , Advocate

For the Opposite Party/s : Mr. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-01-2025 Heard learned counsel for the parties.

2. The petitioner apprehends their arrest in a case registered for the offence under Sections 498(A), 302, 34 of the Indian Penal Code.

3 . As per the prosecution case , the marriage of informant was solemnized with Manjay Mahto in the year 2014 and out of the wedlock, three children were born. After the marriage, all the accused persons including this petitioner, who is in-laws, started demanding dowry and due to non-fulfillment of the same , the accused persons ousted the informant from her matrimonial house . It is further alleged that on 27.10.2019 at about 4:00 hrs., the informant came to know that the accused persons including petitioners have committed murder of her husband by strangulation and registered a U.D. Case No. 12 of



2019 to save themselves. It is further alleged by the informant/complainant that the accused persons did not inform her about the death of her husband.

4. It is submitted on behalf of the petitioner that petitioner is brother-in – law of the informant. It is further submitted that Complainant / informant is not eye-witness of the occurrence and only on suspicion , he has been made accused this case . Police, after investigation, submitted final form against all accused persons and thereafter, learned Magistrate took cognizance against them. Petitioner claims clean antecedent. Similarly situated co-accused persons have already granted bail by this Court vide order dated 24.03.2023 in Cr. Misc. No. 74598 of 2022 .

5 . Learned A.P.P. for the State has opposed the prayer for anticipatory bail of petitioner.

6. However, considering the aforesaid facts and circumstances and clean antecedent of the petitioner, let the above named petitioner, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on 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 Sub-Divisional Judicial Magistrate, Raxaul at Motihari,



East Champaran in connection with Raxaul P.S. Case No. 81 of
2020, subject to condition as laid down under Section 438(2) of
the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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