

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.501 of 2015

Arising Out of PS.Case No. -92 Year- 2014 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

=====

1. Lachho Devi wife of Garib Mahton
2. Garib Mahton son of Late Sukhdeo Mahton
3. Chhotu Mahton Son of Garib Mahton
4. Amit Mahto @ Niklesh Mahton S/o Garib Mahton
5. Nirmala Devi wife of Ajit Mahton All resident of village - Bhagatola,
P.S. Khagaria (Town), Distt. - Khagaria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No-1

For the Opposite Party/s : Renu Kumari, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-05-2015 The petitioners are apprehending their arrest in connection with Muffasil P.S.Case No. 92/2014 instituted under Sections 323, 365, 302, 498(A), 504, 420 and 201/34 of the Indian Penal Code.

Heard learned counsel for the petitioners and the State.

The prosecution story, in brief, is that the marriage of Punam Kumari, daughter of the informant- Nunu Babu Rai, was solemnized with Mithilesh Mahton on 30.7.2011 at Baluahi Thakurwari, Khagaria. After the marriage she went to her sasural. After one month she came back to Luxmipur Dhabauli. After some days her husband took golden ornaments from her on



assurance that he was going to start business. In the month of December, 2013, Mithilesh Mahto and his father Garib Mahton demanded Rs. 50,000/- for motor cycle. The informant showed his inability to fulfill demand then they threatened the informant and due to fear the informant handed over Rs.11,000/- to Mithilesh and thereafter she went to her sasural, there they were causing tortured and ill treatment. She informed her parent on mobile. On 23.2.2014 the informant went to daughter's sasural but she was not available there. On enquiry accused could not give information about non availability of his daughter in her sasural. Then the informant suspected that they have murdered his daughter.

It has been submitted on behalf of the petitioners that the petitioner no.1 is the mother-in-law, petitioner no.2 is the father-in-law, petitioner no.3 is Dewar, petitioner no.4 is Bhaisur and petitioner no.5 is Gotani of the wife of Mithilesh Mahton and there is no specific allegation rather general and omnibus allegation against all the accused persons. It has further been submitted on behalf of the petitioners that the victim girl is living with his brother at Bangalore. Further it has been submitted that the petitioners have no criminal antecedent.

On behalf of the State, it has been submitted that the husband of the deceased is Mihilesh Mathur and the petitioners

are relations of the husband of the informant. Further it has been submitted on behalf of the State that the case has been found to be true under Section 498A IPC and in fact no occurrence in respect of offence under Section 302 IPC has taken place but due to typographical error in the FIR, Section 302 IPC has also been mentioned.

Considering the aforesaid facts, let the above named petitioners, in the event of their arrest or surrender in the court below within a period of four weeks, be released 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 C.J.M., Begusarai in Muffasil P.S.Case No. 92/2014 , subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

singh/-

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