

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51562 of 2015

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1. Arjun Mahto son of Rajendra Mahto
2. Rajendra Mahto son of Saryug Mahto
3. Anarkali @ Mokima Devi @ Monika Devi wife of Rajendra Mahto
All are residents of village - Fulwariya, P.S. Ramgarhwa, Dist - East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar

For the Opposite Party/s : Mr. Lalan Kumar(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-12-2015 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Ramgarhwa P.S. Case no. 146 of 2014 for the offence alleged under Sections 304B and 201/34 of the Indian Penal Code.

The prosecution case, in brief, is that on 13.08.2014, the informant, Mohan Mahto, filed a written application before the Officer Incharge, Ramgarhwa P.S. alleging therein that he solemnized the marriage of his daughter Ranju Devi, aged about 14 years, four years ago with the co-accused Jai Prakash Mahto with Hindu Rites and Customs. The informant further stated that 10 months prior, his daughter gave birth of a



twin, who died and presently she was also pregnant. The informant further alleged that after marriage, his daughter was enjoying her conjugal life happily but after the death of her twin child, her in-laws started torturing and demanded she buffalo as dowry. The informant further alleged that he showed incapability to fulfill the aforesaid demand and the informant received information on 1.6.2014 that his daughter had disappeared. When the informant went at the matrimonial house of the accused persons, they replied that his daughter fled away on the last night but till date the daughter of the informant has not been produced by the accused persons and as such the informant claimed that his daughter was killed by the accused persons and were instrumental in disappearance of the dead body.

It has been submitted on behalf of the petitioners that petitioner no.1 is the Devar (brother-in-law), petitioner no.2 is the father-in-law and petitioner no.3 is the mother-in-law of the informant's daughter. It has further been submitted by the counsel for the petitioners that the statements under Section 164 Cr.P.C. by the father-in-law and mother-in-law respectively do not specify whether the informant's daughter having fled away was killed by in-laws of her husband or is lost. It has also been submitted that now the matter has been compromised between the parties, which

is Annexure 3 to this application. It has been further submitted that the brother-in-law, father-in-law and mother-in-law are no where involved in the said offence.

Be that as it may, since the petitioners have clean antecedent as is evident from para 3 of this application, let petitioners, named above, in the event of their arrest or surrender before the court below within a period of six weeks from today, 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 Judicial Magistrate, 1st Class, Raxaul at Motihari, East Champaran, in Ramgarhwa P.S. Case No. 146 of 2014, subject to the conditions as laid down u/s 438(2) Cr.P.C

(Nilu Agrawal, J)

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