

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51585 of 2015

Arising Out of PS.Case No. -186 Year- 2015 Thana -GOPALGANJ CITY District- GOPALGANJ

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1. Motilal Mahato @ Motilal Mahto Son of Late Rajbali Mahto
 2. Sushila Devi @ Sushila Devi wife of Motilal Mahto
 3. Ajay Mahato @ Ajay Kumar Son of Motilal Mahato All residents of village - Bhitbherwa, P.S. & District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey

For the Opposite Party/s : Mr. U.S.P.Singh(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 apprehends their arrest in connection with Gopalganj (Town) P.S. Case No.186 of 2015 for the offences alleged under Sections 304B, 201 and 34 of the Indian Penal Code.

The present F.I.R. has been lodged on the basis of written application to the officer-in-charge of Gopalganj Police Station by the informant, namely, Duja Devi, wherein she has alleged inter alia that her daughter namely Indu Devi was married with accused Dhanu Mahto about 3 years ago. She was also blessed with female child. Now she is aged about 1 and ½ years. She has further



alleged that the accused persons named in the FIR always used to commit Marpit with the daughter of the informant for demand of dowry. They also used to demand Rs.50,000/- for expansion of their business and threatened of dire consequences. She also alleged that on 22.5.2015 she wanted to talk to her daughter since morning but her mobile was switched off. At about 12 P.M. her brother in law Lal Bahadur told that Indu Devi has been killed by her in-laws and they have also burnt the dead body. After getting this information, the informant along with villagers went to Bhitbherwa and saw burning of dead body.

It is submitted by learned counsel for the petitioners that petitioner No.1 is the father-in-law, petitioner No.2 is the mother-in-law and petitioner No.3 is the brother-in-law (Dewar) of the victim girl, Indu Devi and no specific allegation has been alleged against them. It has further been submitted that the informant after thoughtful consideration of the allegations, as made in the first information report, has filed a compromise petition in the aforesaid case stating in paragraph No.5 that on account of wrong advice of her relatives, who has taken her signature on a plain piece of paper, the present F.I.R. has been lodged against the petitioners and their family members. It is also submitted by the informant in the compromise petition that the husband of the

victim has informed her prior to her daughter's death that the victim had abdominal pain, thereafter she died on the way because of severe abdominal pain.

In the facts and circumstances of the case, let the petitioners named above, in the event of their arrest/surrender before the court below within a period of six weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each in connection with Gopalganj (Town) P.S. Case No.186 of 2015 to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Nilu Agrawal, J)

V.P.Sinha/-

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