

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53669 of 2016

Arising Out of PS.Case No. -210 Year- 2016 Thana -GORAUL District- VAISHALI(HAJIPUR)

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1. Usha Devi, wife of Ram Saroop Mahto,
 2. Ram Saroop Mahto, son of Late Janaki Mahto @ Manki Mahto, Both are resident of Village- Lodipur, P.S.- Goraul, District- Vaishali.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 20-12-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Goraul P.S. Case no. 210 of 2016, registered under Sections 304(B) and 34 of the Indian Penal Code.

The allegation of informant Shaili Devi is that in the year 2005, the marriage of her Nanad Anita Raj was performed with Ramesh Mahto, son of the petitioners and thereafter she was kept properly for some time in her matrimonial house, but after sometimes, her husband and other in-laws started making demand of cash Rs. 50,000/-, motorcycle and chain, when father-in-law of the informant Rambriktch Mahto refused to fulfill the demand then her Nand Anita Raj was driven out from her matrimonial house and she came the house of informant. Thereafter, on 16.09.2016, she was taken by her



husband to her Sasural and on 17.09.2016 her nand Anita Raj was killed by her husband and other in-laws and her neck was slit by a sharp cutting weapon.

Learned counsel for the petitioners submits that admittedly the marriage of the Nanad of the informant was performed with Ramesh Mahto, son of the petitioners in the year 2005 and there is also a male issue out of their wedlock. Further submission is that, in fact, deceased, nand of the informant, died in railway accident, but with ulterior motive, the present case has been lodged. Further submission is that in Post-mortem report injury was said to be caused by hard and blunt heavy impact. Moreover, petitioners are father-in-law and mother-in-law of the deceased and no specific overt act has been attributed against them for making demand of dowry.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Vaishali at Hajipur in connection with Goraul P.S. Case No. 210 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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