

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47350 of 2016

Arising Out of PS.Case No. -121 Year- 2016 Thana -DARAUNDA District- SIWAN

- =====
1. Meena Devi, wife of Bharat Mahato
 2. Arbind Mahato, son of Bharat Mahato,
Both are the resident of village- Karasaut, Tola- Bhoj Chapra, Police
Station – Daraunda, District- Siwan.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Nityanand Mishra, Advocate
For the Opposite Party : Mr. Surendra Prasad Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 03-02-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners apprehend their arrest in connection
with Daraunda P.S. Case No. 121 of 2016, registered for the
offence punishable under Section 302/34 of the Indian Penal
Code.

Allegedly, Kiran Devi, the daughter of the informant
was married to Chandan Mahto, the son of petitioner no.1 and out
of the wedlock there are four daughters and one son and allegedly
Chandan Mahto used to assault and torture his wife and ultimately
killed her. The information was given by Chandan Mahto to the
informant regarding her death.

Submission is of false implication and that there is no



specific allegation against them, the petitioner no.1 is mother-in-law and the petitioner no.2 is Dewar. The husband has already surrendered and he is in custody. The main allegation is against the husband and the petitioners being in-laws have been made accused without any basis and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering that there is specific allegation for assaulting and torturing against Chandan Mahto the husband of the deceased and he is already in custody and, as such, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XI, Siwan, in connection with Daraunda P.S. Case No. 121 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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