

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31340 of 2017

Arising Out of PS.Case No. -155 Year- 2017 Thana -ALAMGANJ District- PATNA

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1. Bimla Devi, W/o Ashok Mahto,
2. Ashok Mahto, Son of Late Prayag Mahto, Both Resident of Mohalla- Gur
Ki Mandi, Police Station- Alamganj, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar

For the Opposite Party/s : Mr. Sri Dilip Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioners and the
State.

The petitioners are apprehending their arrest in connection with Alamganj P.S. Case No. 155 of 2017 for the offence under sections 304(B), 201 and 34 of the Indian Penal Code.

The allegation in the FIR against the petitioners and son of the petitioner is that they are involved in causing unnatural death of daughter of the informant. The informant has levelled allegation of demand of dowry and dowry related torture and informant suspected involvement of the petitioner for causing death of his daughter who succumbed to the burn injury in



Rainbow Hospital. The husband of the deceased was granted bail by the learned 1st Additional Sessions Judge, Patnacity noticing the alleged fard-beyan of the deceased in which she has admitted that while cooking she sustained burn injury and also considering the fact that informant himself stated before the hospital administration that he is not interested in post-mortem of his daughter as appears from the case diary.

Since the husband of the deceased has already been granted bail by learned 1st Additional District and Sessions Judge, Patnacity vide order dated 13.06.2017 considering the fact that the deceased in her statement before death clarified that she sustained burn injury while cooking food and there was no hanky panky about involvement of family members of the husband. The court below also noted the fact while granting bail to the husband of the deceased that the informant has stated before the hospital administration that he is not interested in post-mortem and the fact that the deceased was taken to hospital for medical treatment by the family of the husband.

In the aforesaid backdrop of the fact that the husband of the deceased has already been enlarged on bail there is no justification to deny the privilege of bail to the petitioners who are father-in-law and mother-in-law of the deceased, let the



petitioners, named above, be released on bail in the event of arrest or surrender before the 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 learned A.C.J.M., Patna City in connection with Alamganj P.S. Case No. 155 of 2017, subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Anil Kumar Upadhyay, J)

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