

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11001 of 2017

Arising Out of PS.Case No. -80 Year- 2005 Thana -DORIGANJ District- SARAN

- =====
1. Asha Devi, Wife of Jai Ram Mahto,
 2. Meena Devi @ Mina Devi, Wife of Dinesh Mahto.
 3. Deokali Devi, Wife of Ram Naresh Mahto @ Naresh Mahto All are Resident of Village- Karan Chapra, P.S.- Dokti, District- Balia (U.P.)
 4. Snichari Devi, Wife of Shyanan Mahto.
 5. Sradha Devi @ Sardha Devi, Wife of Raman Mahto. Both are Resident of Village- Manjhi, P.S.- Doriganj, District- Saran.

.... Petitioners

Versus

1. The State of Bihar
- Opposite Party

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Appearance :

For the Petitioners : Mr. Mukesh Kumar Singh, Advocate

For the Opposite Party : Mr. Sri Matloob Rab (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 27-03-2017 Supplementary affidavit has been filed on behalf of the
petitioners disclosing the criminal antecedent of the petitioner nos.

1, 2 and 3. Let it be kept on record.

Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners apprehend their arrest in connection
with Doriganj P.S. Case No. 80 of 2005, registered for the
offences punishable under Sections 304(B)/498(A) of the Indian
Penal Code and Section 3/ 4 D.P. Act.

On the basis of compliant filed by Marchiya Devi,
this case has been registered on 23.12.2005 under Sections 304(B)
and 498(A) of the I.P.C. and Section 3/4 of Dowry Prohibition
Act.

Submission is of false implication and that in this



case two co-accused namely Ram Naresh Mahto and Ram Balak Mahto have faced trial and they have been acquitted vide judgment dated 12.10.2012. The petitioners being gotnis, mother-in-law and distant relation of the deceased and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes by submitting that this is the case of the years 2005 for the occurrence of the year 2002, the petitioners were knowing about the case but intentionally remained absconding and, as such, they do not deserve pre-arrest bail.

In the facts and circumstances as stated above, considering that two co-accused have been acquitted in the case including father-in-law 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 Chief Judicial Magistrate, Saran, in connection with Doriganj P.S. Case No. 80 of 2005, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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