

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67851 of 2018

Arising Out of PS. Case No.-226 Year-2018 Thana- MADHAURAH District- Saran

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1. Dhandai Devi @ Dhandei Devi, Wife of Darshan Mahto,
 2. Munna Mahto, Son of Darshan Mahto, Both resident of Village- Narharpur Basantpur, P.S.- Marhowrah, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-12-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners, being the mother and brother of the husband of the victim, are apprehending their arrest in a case registered for the offences punishable under Sections 304B/34 of the Indian Penal Code.

The prosecution case as per the fardbeyan of Raj Kumari Devi recorded by A.S.I., Surendra Bhagat, Bhagwan Bazar P.S. on 23.05.2018 at 3.45 P.M. is to the effect that the sister-in-law (Nanad) of the informant was married with Ishwar Mahto in the year, 2014 and subsequently, they were



blessed with a son, but subsequent to the marriage further dowry demand of Rupees fifty thousand was made and due to the non-fulfillment of the same, torture was inflicted upon her and ultimately she was set on fire by the accused persons. Though, the victim was taken to Primary Health Centre, Marhowrah but she ultimately died in Sadar Hospital, Chapra.

It is submitted by learned counsel for the petitioners that from bare perusal of the FIR it appears that the thrust of accusation is against the husband of the victim. Petitioners claim to be separate from the husband of the victim and that the victim died due to accidental burn injury.

Learned APP submits that the petitioners are named in the FIR.

Considering the thrust of accusation against the husband of the victim, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIII, Saran at Chapra in connection with Marhowrah P.S. Case



No. 226 of 2018, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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