

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23743 of 2018

Arising Out of PS.Case No. -46 Year- 2018 Thana -MALSALAMI District- PATNA

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1. Rajmatia Devi, aged about 65 years, W/o Late Satrugan Singh, Resident of rented house of Ram Babu Mahto at Chai Tola P.S.- Malsalami, Dist- Patna.
 2. Rani Devi, aged about 33 years, W/o Pappu Mahton,
 3. Pappu Mahton, aged about 36 years, S/o Ram Pravesh Mahton, 2, 3 are resident of Sultanpur, P.S.- Fatuha, Dist- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tilak Sao

For the Opposite Party/s : Mr. Sri Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 26-04-2018

Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners being the mother, sister and brother-in-law (sister's husband) of the husband of the victim are apprehending their arrest in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

The prosecution case as per the fardbeyan of Urmila Devi dated 10.02.2018 recorded by S.I. of Malsalami P.S. at Jamunapur Chai Tola, is to the effect that the informant performed the marriage of her daughter, Anshu Devi with Kallu Kumar, one year prior to the lodging of the case, but after the marriage the accused persons used to torture her since she was



unable to conceive. On 10.02.2018 at 5.00 P.M. the informant received an information that her daughter Anshu has fallen from the roof, upon which then the informant along with her husband and other family members went to the in-laws of her daughter and found her dead. Hence, it is alleged that the accused persons must have killed the daughter of the informant by throttling her neck.

It is submitted by learned counsel for the petitioners that admittedly the informant is not an eye witness to the occurrence. The accusation is omnibus and general against entire family and thrust of accusation is against the husband of the victim. The petitioner no. 1 is old lady and petitioner nos. 2 and 3 reside at different place.

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

Considering the thrust of accusation against the husband and informant being not an eye witness to the occurrence, 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 ACJM-IV, Patna



City in connection with Malsalami P.S. Case No. 46 of 2018,
subject to the conditions as laid down under Section 438(2) of the
Cr.P.C.

DKS/-

(Dinesh Kumar Singh, J)

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