

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8731 of 2018

Arising Out of PS.Case No. -352 Year- 2017 Thana -DUMRA District- SITAMARHI

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1. Feku Mahto, Son of Ram Chandra Rai,
2. Bachhi Devi, Wife of Ram Pravesh Rai,
3. Putul Kumari @ Putul Devi, Wife of Sumit Rai, All resident of Village-
Rasalpur, Police Station- Dumra, District- Sitamarhi.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Bisheshwar Ram

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 21-02-2018

Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in relation to Dumra P.S. Case No. 352/2017 registered under Sections 304(B), 201/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioner no. 1 is a co-villager whereas petitioner no. 2 is mother-in-law and petitioner no. 3 is Gotni (younger brother's wife) of the deceased. Learned counsel submits that the entire F.I.R. has been lodged by the informant who is an illiterate lady on mere suspicion hearsay knowledge against the accused persons.

Learned Additional Public Prosecutor



representing the State submits that on perusal of the fardbeyan of the informant, it appears that mother-in-law was torturing her for bringing a she-buffalo as dowry and there are specific allegations against the mother-in-law.

Considering the facts and circumstances of the case whereunder the thrust of the allegations are against the mother-in-law (petitioner no. 2), I am not inclined to grant her anticipatory bail.

Accordingly, prayer for anticipatory bail of petitioner no. 2 is rejected.

However, considering that petitioner no. 1 is a co-villager and petitioner no. 3 happened to be the Gotni of the deceased, even though their names have been brought in the fardbeyan, it appears that there is no allegation of demand of dowry by the petitioner no. 3, and so far as petitioner no. 1 is concerned, he has been implicated on a mere hearsay knowledge, and hence, in the event of their arrest/surrender before the court below within four weeks, let the above named petitioner nos. 1 and 3, namely, Feku Mahto and Putul Kumari @ Putul Devi, be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand only) each with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Dumra P.S. Case No. 352/2017, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure.

However, petitioner no. 2, namely Bachhi Devi, may surrender in the court below within a period of four weeks from today, if so advised, her prayer for regular bail shall be considered on the basis of the materials available on the record without being prejudiced by the order of this court.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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