

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 23315 of 2019**

Arising Out of P.S. Case No.-31 Year-2019 Thana- MAJHAULIA District- West Champaran

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1. Khedu Mahto @ Khedun Mahto (55 years, Male) Son of Late Biran Mahto. Resident of Village - Parsa, Rai Tola, Ward No.9, P.S.- Majhauriya, District- West Champaran.
2. Bharat Mahto (32 years, Male) Son of Sri Khedu Mahto Resident of Village - Parsa, Rai Tola, Ward No.9, P.S.- Majhauriya, District- West Champaran.
3. Munchun Devi (28 years Female), Wife of Sri Bharat Mahto Resident of Village - Parsa, Tai Tola, Ward No.9, P.S.- Majhauriya, District- West Champaran.
4. Rabari Devi @ Rabri Devi @ Rabari Kumari (18 years Femal) Daughter of Sri Khedu Mahto Resident of Village - Parsa, Rai Tola, Ward No.9, P.S.- Majhauriya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Umesh Chandra Verma, Advocate |
| For the State        | : | Mr. Anil Kumar Singh No. 1, APP   |

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN**  
**AMANULLAH**

**ORAL JUDGMENT**

**Date : 18-07-2019**

Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with  
Majhauria P.S. Case No. 31 of 2019 dated 18.01.2019 instituted  
under Sections 304B, 201/34 of the Indian Penal Code.

3. The petitioners along with one other person are  
accused of killing the sister of the informant. The other accused is  
the husband of the deceased. The petitioner no. 1 is the father-in-



law of the deceased; petitioner no. 2 is the brother of the husband of the deceased; petitioner no. 3 is the wife of petitioner no. 2 and petitioner no. 4 is the daughter of the petitioner no. 1.

4. Learned counsel for the petitioners submitted that the deceased and her sister were married to two brothers on the same day in the year 2013 and that the husband of the deceased after a few months of marriage had started assaulting and torturing the deceased and also used to demand dowry. It was submitted that the petitioners have no role in the death and that the deceased due to hot talk with her husband had jumped in front of a running train and was killed. It was further submitted that the petitioners no. 3 and 4 being ladies, have no role in any foul play, if at all there is any. However, on a query of the Court as to why the relatives of the deceased or the police were not informed even if it is accepted that the deceased had herself jumped in front of a running train and further why the family of the deceased were not informed so as to come and taken part in the cremation rituals, learned counsel could not answer the queries of the Court.

5. Learned APP, from the case diary submitted that the witnesses had stated with regard to the petitioners instigating the husband to assault and mistreat the deceased and further that the own sister of the deceased, who is married to another son of the



petitioner no. 1 has also stated about the role of all family members in the killing of the deceased.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to grant anticipatory bail to the petitioners no. 1 and 2 namely, Khedu Mahto @ Khedun Mahto and Bharat Mahto. Accordingly, the application on their behalf stands rejected.

7. However, the petitioners no. 3 and 4 namely, Munchun Devi and Rabari Devi @ Rabri Devi @ Rabari Kumari, in the event of arrest or surrender before the Court below within six weeks from today, be released on bail upon furnishing bail bonds of Rs.15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran at Bettiah in Majhaulia P.S. Case No. 31 of 2019, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

8. The case diary be returned forthwith.

**(Ahsanuddin Amanullah, J.)**

P. Kumar

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