

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37509 of 2019

Arising Out of PS. Case No.-230 Year-2018 Thana- CHAPRA MUFFASIL District- Saran

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1. Shanti Devi @ Janki Devi aged about 60 years, female, wife of Basath Mahto.
 2. Basath Mahto, aged about 63 years, Male, son of Late Dhuran Mahto
both above resident of village visunpura P.S. Chapra Mufasil, Dist.
Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash, Advocate

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 04-07-2019 Heard learned counsel for the petitioners and learned
A.P.P for the State.

The petitioners who are mother-in-law and father-in-law of the deceased have moved this Court for grant of bail in Chapra Muffasil P.S. Case No. 230 of 2018 registered for the offences punishable under sections 304(B),201 and 34 of the Indian Penal Code.

The allegation, as per the prosecution case is that the informant's daughter was married in 2016 to the son of the petitioners. Dowry had been given at the time of marriage but soon thereafter torture started. It is further alleged that the accused persons have extended threat to kill the daughter if the demand is not fulfilled. It is further stated that in the night of



18.04.2018, information was received that her daughter had been killed and on going to her house the next day, they found that all the accused persons had absconded, there was lock on the door and on account of non-payment of the motorcycle by way of dowry, their daughter had been killed and the dead body was made to disappear.

It is submitted by learned counsel for the petitioners that the petitioners happen to be the mother-in-law and father-in-law of the deceased and they are in custody since 08.08.2018 and 31.08.2018 respectively. It is further submitted that both of them are living separately from the husband of the deceased, the allegation of demand of dowry is false and there has been a delay of 7 days in lodging of the complaint.

The application for bail is opposed by the learned APP for the State stating that the petitioners happen to be mother-in-law and father-in-law of the deceased, there is allegation against all the accused persons in the FIR and as such the application may be rejected.

Having heard learned counsel for the petitioners and learned APP for the State, taking into consideration the fact that the petitioners happen to be mother-in-law and father-in-law of the deceased, that they are in custody since August, 2018 and



that there is a delay of seven days in lodging of the complaint/FIR which is evident from the contents of the complaint itself, the Court is inclined to enlarge the petitioners on bail. The petitioners named above are directed to be enlarged on bail on each of them furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate Saran at Chapra in Chapra Muffasil P.S. Case No.230 of 2018.

(Partha Sarthy, J)

Prakash/-

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