

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21856 of 2020

Arising Out of PS. Case No.-625 Year-2019 Thana- MAJHAULIA District- West Champaran

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1. Shanti Devi Wife of Sheoshankar Mahto @ Prem Mahto
 2. Rupanti Kumari @ Rupanti Devi Daughter of Sheoshankar Mahto @ Prem Mahto
 3. Asha Devi Wife of Upendra Mahto
 4. Sheoshankar Mahto @ Prem Mahto Son of Late Manorath Mahto
 5. Upendra Mahto Son of Sheoshankar Mahto @ Prem Mahto
 6. Sandeep Mahto @ Bhola Mahto @ Sandeep Kumar Son of Sheoshankar Mahto @ Prem Mahto
 7. Krishna Mahto Son of Ramayan Mahto
All residents of village- Gudra, P.S.- Majhauilya, District- West Champaran.
 8. Ritanti Kumari @ Ritanti Devi Wife of Amar Mahto Resident of Village-
Muswa, P.S-Sugauli, District-East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Abhishek Kumar, Advocate
For the Opposite Party : Mr. Rambilash Roy, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 05-11-2020 Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State via video

conferencing.

2. The petitioners seek pre-arrest bail in

connection with Majhauilya P.S. Case No.625 of 2019

registered under Sections 304-B, 201, 34 of the Indian Penal

Code.

3. The informant's daughter Sangita Devi was



married to co-accused Umesh Mahto about six years ago. As per prosecution case, she was killed in other than natural circumstance in her matrimonial home and her body was being cremated by the in-laws then the first information report was lodged.

4. Learned counsel for the petitioners submitted that the petitioners did not reside together with the deceased or her husband. They have nothing to do with the matrimonial affairs of the deceased and her husband and their implication in the case is merely because they happen to be the relatives of the husband of the deceased.

5. Learned Additional Public Prosecutor for the State has opposed the application for grant of pre-arrest bail to the petitioners.

6. Considering that petitioner no. 1, namely, Shanti Devi is mother, petitioner no. 4, namely, Sheoshankar Mahto @ Prem Mahto is father and petitioner nos. 5 and 6, namely, Upendra Mahto and Sandeep Mahto @ Bhola Mahto @ Sandeep Kumar are brothers of the husband of the deceased, who died in other than natural circumstance within seven years of her marriage in her matrimonial home and there is allegation of subjecting her to cruelty for non-fulfillment of demand of



dowry, I am not inclined to grant them pre-arrest bail. Accordingly, their prayer for pre-arrest bail is rejected.

7. So far as petitioner nos.2, 3,7 and 8, namely, Rupanti Kumari @ Rupanti Devi, Asha Devi, Krishna Mahto and Ritanti Kumari @ Ritanti Devi are concerned, since they happen to be unmarried sister, wife of brother, cousin and married sister of the husband of the deceased respectively and there is general and omnibus allegation made against them, they are directed to be released on bail, in the event of their arrest or surrender, on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah West Champaran in connection with Majhauriya P.S. Case No.625 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. Since the court proceedings are being conducted through virtual mode and normal court functioning has not been restored till date, it is considered appropriate to adopt the following procedure for communication of the present order:-

- (i) The order, which has been dictated during the course of proceeding of the virtual court, shall



be communicated to me on my e-mail by the Sr. Secretary.

- (ii) The corrected copy of the order shall be transmitted by me from my e-mail id to the Sr. Secretary, which shall be treated to be an authentic copy of the order passed by this Court in the present proceeding.
- (iii) Hard copy of the order duly signed by me shall be preserved in my residential office for documentation and future use, if any.
- (iv) Let steps be taken by the Sr. Secretary/registry for up-loading of the present order without compromising with the norms of social distancing.

(Ashwani Kumar Singh, J)

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