

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81859 of 2019

Arising Out of PS. Case No.-170 Year-2019 Thana- DARAUNDA District- Siwan

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1. Saraswati Devi, W/O Biswakarma Mahto R/O Village - Satjora, P.S. - Daraunda, District - Siwan.
 2. Sonu Kumar @ Sonu Kumar Mahto S/O Suman Mahto R/O Village - Bagaura, P.S. - Daraunda, District - Siwan, A/P.- R/O Village - Satjora, P.S. - Daraunda, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 22-06-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State through video conferencing.

The petitioners apprehend their arrest in connection with Daraunda P.S. Case no. 170 of 2019, registered under Sections 498(A) and 304(B)/34 of the Indian Penal Code.

The accusation is that marriage of Nitu Kumari, daughter of informant Motichand Mahto, was performed with Rajan Kumar before six years according to Hindu customs and she went to her matrimonial house in Bidai, but, she was being tortured there. On 08.08.2019, the daughter of informant was killed by her husband and other in-laws by administering



poison.

Learned counsel for the petitioners submits that Saraswati Devi (petitioner No.1) is mother in law and Sonu Kumar (Petitioner No.2) is the son of Nanad of deceased, daughter of informant. Further submission is that, in fact, due to quarrel in between deceased and her husband Rajan Kumar, the deceased consumed poison, while she was rushed for treatment at Siwan, but she died. Further submission is that petitioners being the mother-in-law and son of Nanad of the deceased have falsely been implicated in this case. Further submission is that while allegation has been made about torture of the deceased by her husband and other in-laws, but, in Postmortem report, no any external injury was found on the person of deceased and only viscera has been kept reserved. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri R.S. Pandey, J.M. 1st Class, Siwan in connection with Daraunda P.S. Case No. 170



of 2019, subject to the condition as laid down under Section 438
(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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