

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20142 of 2020

Arising Out of PS. Case No.-292 Year-2019 Thana- WARISLIGANJ District- Nawada

1. RAJIYA DEVI Wife of Sri Madan Mahto
2. Madan Mahto Son of Laksho Mahto
Both R/O Khirbhojana, P.S.- Warisaliganj, Dist.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 01-02-2021 Heard learned counsel for the petitioners and
learned counsel for the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 304(B)/34 of the Indian Penal Code.

Allegation against the FIR named accused including the petitioners is to have killed the daughter of the informant for non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioners that they are innocent and have falsely been implicated in this case. Petitioner no.1 is mother-in-law and petitioner no.2 is father-in-law of the deceased. It is further submitted that daughter of the informant was mentally ill and in course of



investigation, it has come that at the time of occurrence, deceased daughter of the informant was in the house and house was found closed from inside which shows that this is not a case of dowry death rather this is a case of suicide. Petitioners have no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Warisaliganj P.S. Case No.292/2019 subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel their bail bonds.

(3) If the petitioners tamper with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty
to move for cancellation of bail of the petitioners.

(S. Kumar, J)

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