

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33647 of 2021

Arising Out of PS. Case No.-101 Year-2020 Thana- NAUTAN District- West Champaran

1. KUSUM DEVI Wife of Shivshankar Mahto Resident of Village - Ramnagar, P.S.- Nautan, District - W. Champaran.
2. Shivshankar Mahto Son of Late Lakshman Mahto Resident of Village - Ramnagar, P.S.- Nautan, District - W. Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aprajita

For the Opposite Party/s : Mr. N. N. Tiwari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-07-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the Office, within a period of four weeks from the date of restoration of normalcy.

The petitioners are apprehending their arrest in a case registered under Sections 304B, 120(B) of the Indian Penal Code.

Allegation against the accused persons is of committing torture and assault and thereafter caused death of the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioners that



the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The petitioner no. 1 is mother-in-law and petitioner no. 2 is father-in-law, of the deceased. They are separate in mess and property from the husband of the deceased. They have got no concern with the alleged occurrence. A petition has been filed in the Court below by the informant where he has retracted from the earlier statement made in the F.I.R. The said petition is Annexure-2 to the present application.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances and also the lockdown, the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bonds to the satisfaction of learned Chief Judicial Magistrate, West Champaran in connection with Nautan P.S. Case No. 101/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) each



with two sureties of the like amount each within a period of eight weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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