

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36767 of 2020

Arising Out of PS. Case No.-293 Year-2020 Thana- AMNAUR District- Saran

1. GIRJA DEVI Wife of Pundeo Mahto, Resident of Village - Khashpatti, P.S. - Amnour, District - Saran
2. Pundeo Mahto Son of Late Bhukal Mahto, Resident of Village - Khashpatti, P.S. - Amnour, District - Saran
3. Amar Nath Mahto Son of Pundeo Mahto, Resident of Village - Khashpatti, P.S. - Amnour, District - Saran
4. Sukan Mahto Son of Pundeo Mahto, Resident of Village - Khashpatti, P.S. - Amnour, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh, Adv.

For the Opposite Party/s : Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 24-06-2021 Heard both sides through Video Conferencing.

Petitioners apprehend their arrest in Amnour P.S. Case No.293 of 2020 registered under Sections 304B and 201 of the Indian Penal Code.

The informant is the father of the deceased. The informant alleged that his two daughters were married with two sons of petitioner nos.1 and 2. Chandradeep Mahto (elder son-in-law of the informant) informed the informant that the condition of Chanda Devi (younger daughter of the informant) is serious. The informant enquired from the neighbours of his

son-in-law, who disclosed that his daughter Chanda Devi had already died. The informant and others went to the house of his daughter and saw that the accused persons were cremating his daughter Chanda Devi. The informant alleged that the marriage of his daughter was solemnized seven years ago but his son-in-law and others were torturing her.

Learned counsel for the petitioners submits that it is a fact that two daughters of the informant were married with the two sons of petitioner nos.1 and 2 more than seven years ago. The informant or his family members did not ever raise any grievance about ill-treatment of his daughter at the hands of the petitioners or her husband. One daughter of the informant is still living in the house of the petitioners. The informant did not enquire from his another daughter about the cause of death of his daughter and lodged the case making false allegation of demand of dowry and torture. Later on, the informant himself filed a petition that his daughter died on account of some illness and the petitioners were not torturing his daughter. It is submitted that the I.O. did not enquire from another daughter of the informant, who is still residing in the same house. The deceased left behind two children. The I.O. did not enquire from them about the cause of death of their mother. The petitioners

are mother-in-law, father-in-law and brothers-in-law of the deceased.

Learned A.P.P., however, opposed the prayer for anticipatory bail.

Taking into consideration the facts aforesaid and the fact that the marriage of Chanda Devi was solemnized seven years ago and later on the informant himself stated that there was an ideal marriage and the petitioners are in-law of the deceased, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IX, Saran at Chapra in connection with Amnour P.S. Case No.293 of 2020, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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