

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12071 of 2021

Arising Out of PS. Case No.-33 Year-2020 Thana- CHHAURADANO District- East
Champaran

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1. DASHRATH MATHO @ DASHARATH MAHTO @ DASHRATH PRASAD KUSHWAHA SON OF HARIHAR MAHTO R/o village- Bhelwa Dakhin Tola, Ward No. 11, P.O.- Chhauradano Bhelwa (Bhelwa), P.S.- Chhauradano, District- East Champaran
 2. SUKHLI DEVI @ SUKHALI DEVI WIFE OF DAHRATH MAHTO @ DASHARATH MAHTO @ DASHRATH PRASAD KUSHWAHA R/o village- Bhelwa Dakhin Tola, Ward No. 11, P.O.- Chhauradano Bhelwa (Bhelwa), P.S.- Chhauradano, District- East Champaran
 3. CHITRANJAN KUMAR SON OF DASHRATH MAHTO @ DASHARATH MAHTO @ DASHRATH PRASAD KUSHWAHA R/o village- Bhelwa Dakhin Tola, Ward No. 11, P.O.- Chhauradano Bhelwa (Bhelwa), P.S.- Chhauradano, District- East Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

with

CRIMINAL MISCELLANEOUS No. 25627 of 2021

Arising Out of PS. Case No.-33 Year-2020 Thana- CHHAURADANO District- East
Champaran

BHUWAN MATHO @ BHUVAN KUMAR @ BHUVAN PRASAD S/O DASHRATH MAHTO @ DASHRATH PRASAD KUSHWAHA R/O VILLAGE-BHELWA DAKHIN TOLA, WARD NO.11, P.S.- CHHAURADANO, DISTRICT-EAST CHAMPARAN.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

(In CRIMINAL MISCELLANEOUS No. 12071 of 2021)

For the Petitioner/s : Mr.Madhurendra Kumar

For the Opposite Party/s : Mr. Jai Narayan Thakur

(In CRIMINAL MISCELLANEOUS No. 25627 of 2021)

For the Petitioner/s : Mr.Madhurendra Kumar

For the Opposite Party/s : Mr. Jai Narayan Thakur

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY



ORAL ORDER

3 07-02-2022 Learned counsel for the petitioners is directed to remove
all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as learned APP for the State through video conferencing.

The petitioners apprehend their arrest in connection with Chhauradano P.S. Case No. 33 of 2020, registered for the offences punishable under Sections 302, 201, 34 of the Indian Penal Code.

In Cr. Misc. No. 25627 of 2021, the petitioner Bhuwan Mahto @ Bhuvan Kumar is the husband of the deceased and in Cr. Misc No. 12071 of 2021, the petitioners are father-in-law, mother-in-law and brother-in-law of the deceased.

As per allegation, the marriage of daughter of the informant was solemnized with petitioner Bhuwan Mahto in the year, 2012. Two daughters were born out of wedlock of the couple. Thereafter, the victim Neetu Devi (since deceased) fell ill. The petitioners inflicted atrocities on the deceased with allegation of huge expenses on her treatment. They also assaulted her and pressurized her to demand Rs. 1,50000/- from her parents and they threatened her to kill if she fail to fetch the demanded amount. On 31.01.2021, Guddu Kumar the son of the informant went to pacify the dispute, petitioner Bhuwan Mahto, the husband of the deceased assured Guddu Kumar that he will not create ugly situation again and he will not assault his wife. Guddu returned to his home. In the same night



the native inmates of the deceased got information that accused persons had killed the deceased by strangulation and had put the dead body on the railway track.

Learned counsel for the petitioners has submitted that they are innocent and they have not committed any offence. He has also submitted that the allegation of demand of dowry is general and omnibus in nature.

Order of learned Sessions Judge, East Champaran, Motihari dated 2.12.2020 shows that during course of investigation witnesses in paragraph Nos. 9 and 10 have fully supported the occurrence.

In the above-mentioned facts and circumstances, it is not a fit case for anticipatory bail.

Accordingly, it is rejected.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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