

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7526 of 2022

Arising Out of PS. Case No.-338 Year-2021 Thana- DARBHANGA SADAR District-
Darbhanga

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1. ASHA DEVI WIFE OF SANJEEV MAHTO R/O MOHALLA/VILLAGE-
DIH BARAI, P.S.- SADAR, DISTRICT- DARBHANGA
 2. JYOTI DEVI WIFE OF GOLU MAHTO R/O MOHALLA/VILLAGE- DIH
BARAI, P.S.- SADAR, DISTRICT- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha

For the Opposite Party/s : Mr. Uma Shanker Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 15-11-2022 Heard learned counsel for the petitioners and the
State.

Petitioners apprehend arrest in a case registered for
the offence punishable under Sections 302, 201/34 of Indian
Penal Code.

As per prosecution case, marriage of the informant
was solemnized with Dauli Devi in the year 2016. The brother
of the informant Sudhir Kumar (deceased) had gone to sasural
of the informant about 8 days prior to the alleged occurrence.
On 08.08.2021 at about 6 AM the informant was informed by
his wife through mobile phone that his brother had died due to
drowning in a river. Informant after getting the information went
to village Dihbarai along with others and saw the dead body of
this brother which was extricated by the police from Dihbarai
river near a bridge. Informant believes that the accused persons
including these petitioners had strangulated his brother to death



and in order to cause disappearance of evidence, threw his dead body into the river.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. The informant is not an eye witness of the occurrence and only on suspicion they have been made accused in the instant case. No mark of any injury has been found on the body of the deceased. Petitioner No. 1 is mother-in-law and petitioner No. 2 is sister -in-law of the informant. Petitioners have got clean antecedent.

Considering the aforesaid facts and circumstances, let the above named petitioners in the event of their arrest/surrender before the court below within a period of thirty days from the date of receipt/production of copy of this order, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Darbhanga in Sadar P. S. Case No. 338 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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