

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9854 of 2022

Arising Out of PS. Case No.-45 Year-2020 Thana- VAISHALI District- Vaishali

1. DIPU MAHTO SON OF JAGESHWAR MAHTO R/O VILLAGE-BIBIPUR MANORA, P.S.- VAISHALI BELSAR (O.P.), DISTRICT-VAISHALI
2. NAGESHWAR MAHTO SON OF LATE JAGDISH MAHTO R/O VILLAGE- BIBIPUR MANORA, P.S.- VAISHALI BELSAR (O.P.), DISTRICT- VAISHALI
3. CHINTA DEVI WIFE OF JAGESHWAR MAHTO R/O VILLAGE-BIBIPUR MANORA, P.S.- VAISHALI BELSAR (O.P.), DISTRICT-VAISHALI

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pratima Kumari
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 09-09-2022 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 the learned APP for the State.

At the outset, learned counsel for the petitioner seeks permission to withdraw the anticipatory bail petition in respect of petitioner No. 1 Dipu Mahto.

Permission is granted. Accordingly, the anticipatory bail petition of petitioner No. 1 is dismissed as withdrawn.



The petitioners apprehend their arrest in connection with Vaishali P.S. Case No. 45 of 2020, registered for the offences punishable under Sections 304 (B)/34 of the Indian Penal Code.

Neelam Devi is the informant. As per FIR, her daughter Vibha Kumari was married to co-accused Ramesh Mahto in the year 2018. After 15 days of the marriage her husband, father-in-law and the petitioners who are mother-in-law and cousin father-in-law inflicted cruelties and made pressure to demand rupees two lacs on the daughter of the informant. Her daughter informed this fact to her native members. Thereafter, husband of the informant went to persuade the matrimonial inmates of her daughter and panchayati was convened. The petitioners and other accused persons on 07.02.2020, committed dowry death of the daughter of the informant by strangulation.

Learned counsel for the petitioners has submitted that both the parties have compromised. Father-in-law of the deceased has been granted regular bail and the husband of the deceased is still in custody.

Considering the facts and circumstances of the case, I do not think it to be a fit case for anticipatory bail. Accordingly,



it is rejected.

The petitioners who are mother-in-law and cousin father-in-law of the deceased are directed to surrender before the court below and make a prayer for regular bail. I do not see any reason, as to why the similar benefit as father-in-law of the deceased, should not be granted to the present petitioners.

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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