

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37936 of 2021

Arising Out of PS. Case No.-55 Year-2021 Thana- KALYANPUR District- East Champaran

1. RAMANI DEVI Wife of Sahdeo Mahto Resident of Village - Ramchandrapur, P.S. Deoriya, District Muzaffarpur.
2. Sahdeo Mahto Son of Late Mahavir Mahto Resident of Village - Ramchandrapur, P.S. Deoriya, District Muzaffarpur.
3. Siyapati Devi Wife of Manoj Mahto Resident of Village - Ramchandrapur, P.S. Deoriya, District Muzaffarpur.
4. Putal Devi @ Putal Kumari Daughter of Sahdeo Mahto Resident of Village - Ramchandrapur, P.S. Deoriya, District Muzaffarpur.
5. Ashok Mahto Son of Sahdeo Mahto Resident of Village - Ramchandrapur, P.S. Deoriya, District Muzaffarpur.
6. Manoj Mahto Son of Sahdeo Mahto Resident of Village - Ramchandrapur, P.S. Deoriya, District Muzaffarpur.
7. Tunmun Mahto Son of Sahdeo Mahto Resident of Village - Ramchandrapur, P.S. Deoriya, District Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Umesh Chandra Verma, Advocate
For the State	:	Ms. Rina Sinha, APP
For the Informant	:	Mr. Sunil Kumar Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 08-04-2022 Heard learned counsel for the petitioners and learned
APP for the State through virtual court proceedings.

Petitioners apprehend their arrest in Kalyanpur P.S.
Case No.55 of 2021, registered for the offence punishable under
Section 364 of the Indian Penal Code.

Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in the



present case. The allegation made against the petitioners in the FIR is false and concocted. It is submitted that marriage of the daughter of the complainant was solemnized with petitioner, Ashok Mahto in the year 2013 and there is matrimonial dispute between both the sides. The daughter of the complainant Mira Devi has lodged police case as well as maintenance case against her in-laws. It is also submitted that all of a sudden, the daughter of the complainant was missing from house and a false and concocted case has been lodged against the entire family members.

Learned counsel for the complainant as well as the learned APP opposed the prayer for anticipatory bail of the petitioners by submitting that the victim is still traceless. It is further submitted that maintenance case filed by daughter of the complainant is still pending before the learned court below.

From perusal of the records as well as the case diary, it appears that there is no material against the petitioners to show their involvement in the present case. Merely on suspicion, the entire family members have been made accused in the case.

Taking into consideration the facts aforesaid, let petitioners, above named, in the event of their arrest or



surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Kalyanpur P.S. Case No.55 of 2021, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J.)

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