

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47088 of 2021

Arising Out of PS. Case No.-232 Year-2020 Thana- AWTARNAGAR District- Saran

1. GODHAN MAHTO S/o LATE RAM ISHWAR MAHTO R/o VILLAGE-PRATAPPUR, P.S.- AWTARNAGAR, DISTRICT-SARAN.
2. SHEOPATI DEVI W/o GODHAN MAHTO R/o VILLAGE-PRATAPPUR, P.S.- AWTARNAGAR, DISTRICT-SARAN.
3. BISHNU MAHTO S/o GODHAN MAHTO R/o VILLAGE-PRATAPPUR, P.S.- AWTARNAGAR, DISTRICT-SARAN.
4. HEMANTI DEVI W/o BISHU MAHTO R/o VILLAGE-PRATAPPUR, P.S.- AWTARNAGAR, DISTRICT-SARAN.
5. KUSMI DEVI W/o LALMOHAN MAHTO R/o VILLAGE-JOGANI PARSA, P.S-BHELDI, DISTRICT-SARAN.
6. SHANTI DEVI W/o ARBIND MAHTO R/o VILLAGE-NAYAGAON, P.S-SIWAN, DISTRICT-SIWAN.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Krishna Kumar Singh
For the Opposite Party/s : Mr.Ram Sumiran Rai

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 25-07-2022 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.

The petitioners apprehend their arrest in connection with Awtarnagar P.S. Case No. 232 of 2020, registered for the offences punishable under Sections 304 (B)/34 of the Indian



Penal Code.

As per allegation, Khusbu Devi, the daughter of the informant aged 19 years was married to co-accused Narayan Mahto. Soon after solemnization of the marriage the accused persons including the petitioners started torturing the daughter of informant. On 20.09.2020, the informant came to know that accused persons committed murder of her daughter after administering some poisonous substance to her. When the informant went to the matrimonial house of her daughter the accused persons were absconding and the dead body of the deceased was found there.

Learned counsel for the petitioner has submitted that both the parties have compromised as the informant did not want to pursue the case. He has also submitted that co-accused Narayan Mahto, husband of the deceased, has been granted bail under Section 167 (2) of the Cr.P.C.

The deceased Khusboo Devi died only within three months of her marriage in her matrimonial house. There is allegation against the petitioners that they subjected her to cruelty soon before her death for non-fulfillment of dowry demand. They do not deserve the privilege for anticipatory bail. As such, the anticipatory bail petition is rejected.



The petitioners are directed to surrender before the court below and make a prayer for regular bail. Their petition for regular bail shall be disposed of on its own merit without being prejudiced by this order.

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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