

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63937 of 2021

Arising Out of PS. Case No.-629 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

1. SONVA DEVI Wife of Manoj Kumar Mahto @ Manoj Mahto @ Daroga Mahto
2. Ravi Mahto @ Ravi Son of Manoj Kumar Mahto @ Manoj Mahto @ Daroga Mahto
3. Khushbu Kumari Daughter of Manoj Kumar Mahto @ Manoj Mahto @ Daroga Mahto
4. Radha Mahto @ Raghar Mahto Son of Late Jay Mangal Mahto @ Late Jai Mahto

All are resident of Village - Rajwara, Police station - Sahebganj, District – Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey
For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 21-03-2022 Learned counsel for the petitioners is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Sahebganj 629 of 2020 registered for the offences punishable under Sections 304(B)/201/34 of the Indian Penal Code.

Petitioner No. 1 is the mother-in-law of the deceased.



Learned counsel for the petitioners submits that she is entitled for anticipatory bail as the informant has retracted from the earlier statement given in the F.I.R. and the entire prosecution case has been falsified. He also produces before me an order dated 01.11.2021 passed in Cr. Misc. No. 55647 of 2021 by which the husband of the deceased has been granted anticipatory bail considering the retraction.

In the opinion of this Court, the accused persons are tampering with the evidence and this retraction cannot be a ground for grant of anticipatory bail to the accused i.e. mother-in-law.

Considering the facts and circumstances of the case, the present anticipatory bail application of petitioner No. 1 (**Sonva Devi**) who is the mother-in-law of the deceased is **rejected**.

So far as other petitioners are concerned, they are relatives of the deceased and there is general and omnibus allegation against them. Therefore, their anticipatory bail application is allowed.

Accordingly, let the **petitioners No. 2, 3 and 4**, above named, be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks



from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1st, West, Muzaffarpur, in connection with Sahebganj 629 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The court below is directed to consider the regular bail of the petitioner No. 1 without being prejudiced by the fact that her anticipatory bail application has been dismissed by this Court.

(Sandeep Kumar, J)

Saif/-

U		T	
---	--	---	--

