

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40566 of 2023

Arising Out of PS. Case No.-158 Year-2022 Thana- SIWAIPATTI District- Muzaffarpur

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1. Ramesh Mahto @ Ramesh Kumar Mahto Son of Ramhit Mahto Resident of village - Engrari, P.S. - Siwaipatti, Distt. - Muzaffarpur
 2. Rajesh Mahto @ Rajesh Kumar Mahto Son of Ramhit Mahto Resident of village - Engrari, P.S. - Siwaipatti, Distt. - Muzaffarpur
 3. Ramhit Mahto Son of not known Resident of village - Engrari, P.S. - Siwaipatti, Distt. - Muzaffarpur
 4. Indrasan Devi Wife of Ramhit Mahto Resident of village - Engrari, P.S. - Siwaipatti, Distt. - Muzaffarpur
 5. Poonam Devi Wife of Ramesh Mahto Resident of village - Engrari, P.S. - Siwaipatti, Distt. - Muzaffarpur
 6. Mamta Devi Wife of Rajesh Mahto Resident of village - Engrari, P.S. - Siwaipatti, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate
For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-08-2023 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
a case registered for the offences punishable under Sections
498A/302/34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that



the petitioners are of clean antecedent and the informant alleged that his daughter was married to Rakesh Mahto and out of the wedlock three daughters and a son was born. It is next alleged that the son-in-law was not having a good image in the society as he was having illicit relationship with the wife of her co-villager Nawal Tatma and his daughter used to protest the illicit relationship. It is next alleged that the family members of his daughter used to misbehave and beat his daughter when she used to protest the illicit relationship of her husband with another lady. It is next alleged that on 28.08.2022 at 5:30 PM when his daughter protested the conduct of her husband when it is alleged that the accused persons including the petitioners killed her by strangulating her. It is further alleged that on account of death of his daughter the informant was shocked and then FIR was instituted after a delay as he was busy in cremation of the dead body. The learned counsel submits that the petitioners have been falsely implicated in the present case. It is next submitted that from perusal of the allegation as alleged in the FIR it would appear that the allegation is omnibus in nature. It is next submitted that the marriage was solemnized eight years ago and in between eight years neither the relatives nor the



informant had at any time instituted any case alleging that the deceased was being tortured by the family members of her husband. It is next submitted that the petitioners being brothers, father, mother and sister-in-laws of the husband of the deceased came to be implicated. It is next submitted that the informant himself alleged that he was busy in cremation of the dead body of his daughter and thereafter he instituted the present FIR which amply demonstrate that he was aware that his daughter has not being killed rather died a natural death as such he participated in the cremation. It is next submitted that the husband of the deceased is in custody.

4. The learned Additional Public Prosecutor opposed the prayer for bail.

5. Considering the facts and circumstances of the case, the petitioners, above named, are directed to be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of four weeks from the date of receipt of the order on furnishing bail bond of Rs.5,000/- (Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, East Muzaffarpur/Successor Court in connection with Siwaipatti P.S.Case No.158 of 2022, subject to



the conditions as laid down under Section 438(2) of the Code
of Criminal Procedure.

(Satyavrat Verma, J)

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