

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51587 of 2023

Arising Out of PS. Case No.-105 Year-2022 Thana- BODHGAYA District- Gaya

-
1. Bhagwaniya Devi @ Bhagwati Devi Wife Of Shiv Nandan Prasad @ Shiv Nandan Prasad Mahto @ Shiv Nandan Mahto Resident Of Village - Bataspur, Ps- Bodhgaya, Dist- Gaya
 2. Shiv Nandan Prasad @ Shiv Nandan Prasad Mahto @ Shiv Nandan Mahto Son Of Late Rameshwar Mahto Resident Of Village - Bataspur, Ps- Bodhgaya, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 09-11-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

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

3. The petitioners are apprehending their arrest in connection with Bodhgaya P.S Case No. 105 of 2022 dated 23.02.2022 registered for the offence punishable u/s 304(B) and 34 of the Indian Penal Code.

4. As per the prosecution story, the petitioners and the co-accused persons are alleged to have committed murder of the



daughter of the informant due to non-fulfillment of demand of dowry.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have committed no offence and have falsely been implicated in this case. It is further submitted that petitioners have neither tortured nor demanded any dowry. It is further submitted that the petitioner no.1 is mother-in-law and the petitioner no.2 is father-in-law of the deceased Rinki Kumari. It is further submitted that post mortem report of the deceased also shows that the deceased had committed suicide and at the time of suicide the petitioners and other family members had gone outside the house. There is general and omnibus allegation against the petitioners. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of



the like amount each to the satisfaction of learned Court concerned, Gaya in connection with Bodhgaya P.S. Case No. 105 of 2022, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

Nilmani/-

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

