

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50344 of 2022

Arising Out of PS. Case No.-89 Year-2022 Thana- BHAGWANPUR District- Vaishali

1. GITA DEVI W/o Shivjee Mahto Resident of Village- Prataptand (West), P.S.- Bhagwanpur, Dist- Vaishali.
2. Shivjee Mahto S/o Ramchandra Mahto Resident of Village- Prataptand (West), P.S.- Bhagwanpur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Nityanand, Adv.
For the State	:	Mr.Shailendra Kumar, APP
For the Informant	:	Mr.Awadhesh Kr. Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 17-01-2023 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard the learned counsel for the petitioners, the learned counsel for the informant and the learned APP for the State.

The petitioners apprehend their arrest in connection with Bhagwanpur P.S. Case No. 89 of 2022, registered for the offences punishable under Sections 304(B)/34 of the Indian Penal Code.

As per allegation, the marriage of the deceased, Puja Kumari was solemnized with Anil Kumar Mahto on 18.06.2021.



The customary presents given at the occasion of her marriage, but the matrimonial inmates were not satisfied with that. They subjected her to cruelty. A panchayat was convened after two months of the marriage, when the atrocities started. Petitioner no. 1, who is mother-in-law of the deceased assured to keep the deceased with full dignity and honour and thereafter she came to her matrimonial house but they murdered her by strangulation on 11.04.2022.

The learned counsel for the petitioners has submitted that petitioner no. 1 is mother-in-law and petitioner no. 2 is father-in-law of the deceased. They live separately from the husband of the deceased.

On the other hand, the learned counsel for the informant has submitted that the deceased was done to death in her matrimonial house within ten months of her marriage. The FIR shows that just after solemnization of the marriage, the accused persons tortured her. They strangled her to death.

The deceased was done to death only within ten months of her marriage. The accused petitioners are named and there is allegation that before her death, they subjected her to cruelty.

In my view, it is not a fit case for anticipatory bail.



Accordingly, it is rejected.

If the petitioners surrender before the court below and make a prayer for regular bail that 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)

kundan/-Nirmal

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

