

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74598 of 2022

Arising Out of PS. Case No.-81 Year-2020 Thana- RAXAUL District- East Champaran

1. RITA DEVI WIFE OF RAMANAND MAHTO RESIDENT OF VILLAGE- LAXMIPUR, P.S.- RAXAUL, DISTRICT- EAST CHAMPARAN
2. KAVITA DEVI WIFE OF NIRAJ MAHTO, D/O RAMANAND MAHTO RESIDENT OF VILLAGE- LAXMIPUR, P.S.- RAXAUL, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Rashmi Jha, Adv.
For the Opposite Party/s : Mr.Ramchandra Sahni,APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-03-2023 Heard learned counsel for the parties.

The petitioners apprehend their arrest in a case registered for the offence under Sections 498(A), 302, 34 of the Indian Penal Code.

As per the prosecution case, the marriage of informant was solemnised with Manjay Mahto in the year 2014 and out of the wedlock, three children were born. After the marriage, all the accused persons including these petitioners, who are in-laws, started demanding dowry and due to non-fulfillment of the same, the accused persons ousted the informant from her matrimonial house. It is further alleged that on 27.10.2019 at about 4:00 hrs., the informant came to know that the accused



persons including petitioners have committed murder of her husband by strangulation and registered a U.D. Case No. 12 of 2019 to save themselves. It is further alleged by the informant/complainant that the accused persons did not inform her about the death of her husband.

Petitioners no. 1 is mother-in-law and petitioner no. 2 is married *Nanad* (sister-in-law) of the informant. It is further submitted on behalf of petitioners that petitioners are ladies and house-wives and have got no concern with the affairs of couple. Complainant / informant is not eye-witness of the occurrence and only on suspicion, this case has been lodged. Police, after investigation, submitted final form against all accused persons and thereafter, learned Magistrate took cognizance against them.

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

However, considering the aforesaid facts and circumstances and the fact that petitioners are ladies, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Raxaul at Motihari,



East Champaran in connection with Raxaul P.S. Case No. 81 of
2020, subject to condition as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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