

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31491 of 2024

Arising Out of PS. Case No.-275 Year-2023 Thana- DALSINGHSARAI District- Samastipur

Shanti Devi Wife of Shivji Mahto @ Shivan Mahto Resident of Village-
Ajnoul Purvi, Ward No. 7, P.S.- Dalsinghsarai, Distt- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav

For the Opposite Party/s : Mr. Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 21-09-2024 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Dalsinghsarai Police Station Case No. 275 of 2023, dated 09.07.2023, disclosing offences under Sections 302/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 08.07.2023, in the afternoon, the informant got information on mobile phone from his son-in-law, Ramesh Chandra Mahto, that his daughter has died. Upon this information, the informant, along with his family members, reached at the place of occurrence and saw that his daughter is lying dead in a room and many people and police party were present there. It has also been alleged



that marriage of the informant's daughter was solemnized with the co-accused Ramesh Chandra Mahto on 27.07.2015. After the marriage his son-in-law started demanding a sum of Rs. 5 Lakh from his daughter and due to non-fulfillment of the demand, the son-in-law of the informant used to torture the deceased. On 07.07.2023, the co-accused, son-in-law of the informant, threatened his daughter to kill her if the demand of dowry is not fulfilled. It has further been alleged that informant's son-in-law was having illicit relationship with his sister-in-law (bhabhi) and when the deceased came to know about this, the petitioner, along with other accused persons, put pressure upon the deceased. Further alleged that all the accused persons assaulted and killed the informant's daughter by strangulating her.

4. Learned counsel for the petitioner submits that the petitioner is mother-in-law of the deceased and has falsely been implicated in this case, along with other accused persons, who are family members of the deceased. Learned counsel next submits that from reading the First Information Report it would be apparent that demand of dowry and torture is against the co-accused, Ramesh



Chandra Mahto. It has also been alleged that Ramesh Chandra Mathto was having illicit relationship with his sister-in-law (bhabhi) and due to that dispute the deceased has committed suicide, which has come during the course of investigation. The witnesses, during investigation, have stated that deceased has committed suicide. The allegation against the petitioner is general and omnibus in nature. He further submits that there is allegation of assault on the deceased, but no external injury of assault has been found in the post-mortem report and the post-mortem report has suggested that the deceased has committed suicide. The husband of the deceased is in custody.

5. Regards being had to the submissions made on behalf of the parties and taking into consideration the post-mortem report of the deceased and specific allegation against the co-accused/son-in-law of the informant that he used to demand money and torture the deceased and just prior to the date of occurrence the deceased was tortured by the co-accused/informant's son-in-law, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.



7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released 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 Additional Chief Judicial Magistrate-I, Dalsinghsarai, Samastipur, in connection with Dalsinghsarai Police Station Case No. 275 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

ashwani/-

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

