

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39540 of 2024

Arising Out of PS. Case No.-140 Year-2023 Thana- ANDHRATHARHI District- Madhubani

1. Dasai Mahto Son of Rameshwar Mahto Resident of Village- Maini, P.S- Andharathadhi, Dist- Madhubani
2. Urmila Devi Wife of Dasai Mahto Resident of Village- Maini, P.S- Andharathadhi, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jaishankar Kumar Yadav, Advocate

For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 26-07-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Andharathadhi P.S. Case No. 140 of 2023 instituted for the offence under Sections 304(B), 201 & 34 of the Indian Penal Code.

3. Prosecution case in short is that daughter of the informant was done to death due to non fulfillment of the demand for dowry.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 25-09-2023. Petitioners bear no criminal antecedent.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner No. 1 is the father-in-law of the deceased while petitioner No.2 is the mother-in-law of the deceased. It is next submitted that husband of the deceased is already in custody. The petitioners are separate in mess and property from the husband of the deceased. It is further submitted that there is no specific allegation levelled against the petitioners, rather allegation is general and omnibus. It is submitted that there is no external injury found on the body of the deceased, which fact is mentioned in postmortem report. It is lastly submitted that charge sheet has already been submitted in this case.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners, clean antecedent of the petitioners, there being no specific allegation against the petitioners and charge sheet being submitted, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of



Court below/concerned Court in connection with
Andharathadhi P.S. Case No. 140 of 2023, subject to the
following conditions:

(I) One of the bailors shall be own/close member of the
family of the petitioners.

(II) The petitioners shall appear on each and every date
fixed at the trial. In case of default in such appearance on
two consecutive dates, the Trial Court will have liberty to
cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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