

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37212 of 2024

Arising Out of PS. Case No.-309 Year-2020 Thana- PIPRA District- East Champaran

1. Rupa Devi @ Rupri Devi Wife of Santosh Kumar Resident of Village- Ashok Pakri , (Nanhakar Tola), P.S- Pipra, District- East champaran
2. Shyambabu Mahto @ Sam Babu Mahto @ Lal Babu Mahto @ Shyam Mahto @ Shambhu Mahto Son of Rajendra Mahto Resident of Village- Amawaman Bazar, P.S- Majhauria, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh, Adv.
For the Opposite Party/s : Mr.Dinesh Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-07-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 304(B), 201, 34, 120(B) of the Indian Penal Code.

3. The allegation against the petitioners is that they have murdered the daughter of the informant due to non-fulfillment of demand of dowry and concealed her dead body somewhere.

4. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and they have committed no offence. No such occurrence as alleged has ever taken place. Petitioners are cousins-in-law of the deceased. They have been



falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. There is no specific overt act against them. They had no concern with the daily affairs of the deceased and her husband. It is further submitted that mother-in-law, father-in-law, cousin brother-in-law and husband of the deceased have been acquitted by the learned Court below on 25.01.2024 and 16.03.2022. He further submits that petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Pipra P.S. Case No. 309 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. The learned Court below is directed to verify the fact



whether the process under Sections 82 & 83 of the Cr.P.C. has been issued against the petitioners or not and if it is found that the process under Section 82 & 83 of the Cr.P.C. has been issued against them, this order will automatically loose its force.

(Anjani Kumar Sharan, J)

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