

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42435 of 2024

Arising Out of PS. Case No.-130 Year-2023 Thana- TIKAPATTI District- Purnia

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1. HARERAM MAHTO SON OF LATE SHIVANAND MAHTO VILLAGE-
GORIYAR PASHICHAM, P.S.- TIKKAPATTI, DISTT.- PURNIA
 2. MOST RAJ KUMARI DEVI W/O- LATE SHIVANAND MAHTO
VILLAGE- GORIYAR PASHICHAM, P.S.- TIKKAPATTI, DISTT.-
PURNIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar Mallick, Advocate
For the Opposite Party/s	:	Mr. Pramod Kumar Pandey, APP
For the Informant	:	Mr. Raghvendra Kumar Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 23-10-2024 Heard learned counsel for the petitioners, learned APP

for the State, learned counsel for the informant and perused the

case diary.

2. The petitioners seek bail in connection with

Tikkapatti P.S. Case No. 130 of 2023 instituted for the offences

under Sections 304B, 120B of the Indian Penal Code.

3. Prosecution story, in short, is that the petitioners

along with other family members have killed the deceased for

non-fulfillment of demand of dowry.

4. Learned counsel for the petitioners submitted that

petitioners have falsely been implicated in the present case.



Petitioner no.1 is the husband and petitioner no.2 is the mother-in-law of the deceased. There is general and omnibus allegation against these petitioners. Learned counsel further submitted that there is no specific allegation of demand of dowry from these petitioners. It has been submitted on behalf of the petitioners that the petitioners are in custody since 31.12.2023 and have no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioners. Learned counsel for the State and learned counsel for the informant jointly submitted that the accused petitioner have committed the murder of the deceased by strangulating her and this fact is also supported by the post-mortem report of the deceased.

6. Considering the aforesaid facts and circumstances of the case, and the period of custody undergone by the petitioners, this Court is not inclined to grant bail to the petitioner no. 1 as he is the husband of the deceased. However, so far as petitioner no.2 is concerned, since she is a lady aged about 55 years, this Court is inclined to grant bail to her.

7. Accordingly, Let the petitioner no. 2, namely, Most. Raj Kumari Devi, 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 Tikkapatti P.S. Case No. 130 of 2023.

8. However, the prayer for grant of bail to the petitioner no. 1, namely, Hare Ram Mahto is rejected.

9. Learned trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

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