

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61044 of 2024

Arising Out of PS. Case No.-472 Year-2023 Thana- SUGAULI District- East Champaran

1. Sonu Mahto @ Sonu Kumar son of Narayan mahto @ JayNarayan mahto R/O-Village- Fulwariya, PS- Sugauli, District- East Champran
2. Rajkali Devi wife of Narayan Mahto @ Jaynarayan Mahto village- Fulwariya, PS- Sugauli, District- East Champran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore, Adv

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 20-11-2024 Heard the parties.

2. Learned counsel for the petitioners seeks permission to withdraw this application as against the petitioner no.1 .

3. Permission is granted.

4. Accordingly, this application as against the petitioner no.1 is dismissed as withdrawn.

5. However, if the petitioner no.1 surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order in accordance with law.

6. Now, this application is being heard only with regard to the petitioner no.2.



7. The petitioner no.2 apprehends her arrest in a case registered for the offence punishable under Sections 304B, 34 of the Indian Penal Code.

8. Allegedly, the petitioner and other co-accused persons said to have assaulted the sister of the informant due to which she committed suicide.

9. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. She has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. He further submitted that the petitioner no.2 is the mother-in-law of the deceased and the father-in-law of the deceased is already in judicial custody. Petitioner has no criminal antecedent.

10. Learned APP for the State opposed the prayer for anticipatory bail.

11. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioner, let the above named petitioner no.2, be released on bail, in the event of her 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) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Sugauli P.S. Case No.472 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

12. Accordingly, this application stands partly allowed.

(Anjani Kumar Sharan, J)

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