

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60299 of 2024

Arising Out of PS. Case No.-191 Year-2023 Thana- KUDHNI District- Muzaffarpur

1. Lakshaman Mahto S/O Hajari Mahto R/O Village- Ladaura Tola, Satgharwa, P.S- Kudhani, Distt.- Muzaffarpur.
2. Basmati Devi W/O Lakshman Mahto R/O Village- Ladaura Tola, Satgharwa, P.S- Kudhani, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-09-2024 At the outset, learned counsel for the petitioners submits that during pendency of this bail petition, petitioner no. 1 namely Lakshaman Mahto has been arrested and as such, he seeks permission to withdraw this anticipatory bail petition in respect of petitioner no. 1.

2. Permission is accorded.

3. The anticipatory bail petition stands dismissed as withdrawn, so far as petitioner no. 1 is concerned.

4. Sole petitioner (i.e. petitioner no. 2 Basmati Devi) apprehends her arrest in a case registered for the offence under Sections 304(B) / 34 of the Indian Penal Code.

5. It is a case of ‘Dowry Death’.



6. Petitioner is mother-in-law of the deceased. There is general and omnibus allegation of demand of dowry and committing torture against her. Thrust of the accusation is against husband of the deceased, who is already in custody since 19.06.2024. Petitioner is separate in mess and property and has got no concern with the family affairs of deceased and her husband.

7. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of petitioner.

8. However, considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st West, Muzaffarpur in connection with Kudhani (Turki O.P) P.S. Case No. 191 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

9. This application is, accordingly, disposed of.

(Prabhat Kumar Singh, J)

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