

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63116 of 2024

Arising Out of PS. Case No.-117 Year-2024 Thana- KATHAIYA District- Muzaffarpur

1. Sanjeet Kumar Mahto @ Sanjeet Mahto Son of Hanuman Mahto Village - Gopinathpur, P. S- Kathaiya , District - Muzaffarpur
2. Ranjan Kumar Mahto @ Ranjan Mahto Son of Hanuman Mahto Village - Gopinathpur, P. S- Kathaiya , District - Muzaffarpur
3. Mithun Kumar Son of Hanuman Mahto Village - Gopinathpur, P. S- Kathaiya , District - Muzaffarpur
4. Saheb Kumar Son of Hanuman Mahto Village - Gopinathpur, P. S- Kathaiya , District - Muzaffarpur
5. Hanuman Mahto Son of Late Ahiman Mahto Village - Gopinathpur, P. S- Kathaiya , District - Muzaffarpur
6. Shobha Devi Wife of Sanjeet Mahto Village - Gopinathpur, P. S- Kathaiya , District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Adv.
For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-10-2024 Vide order dated 19.09.2024, prayer for bail with respect to petitioners no. 1, 4 and 6 already stood dismissed as withdrawn.

2. Heard learned counsel for rest of the petitioners and learned counsel for the State.

3. The petitioners apprehend their arrest in connection with Kathaiya P.S. Case No. 117 of 2024 registered under Section 304(B)/ 34 of the Indian Penal Code.



4. It is a case of dowry death.

5. As per prosecution case, informant solemnized the marriage of her daughter with co-accused Sonu Kumar Jha in the year 2021. After marriage, the husband and in laws of informant's daughter demanded Rs. 5 lakh cash and a bullet motorcycle as dowry. Due to non-fulfillment of the same, she was tortured and ill treated. It is further alleged that on 13.06.2024, all the F.I.R. named accused persons including these petitioners killed the daughter of informant by giving poison in her food.

6. Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. Further submission is that petitioners no. 2 and 3 are brothers-in-law and petitioner no. 5 is father-in-law of the deceased. Petitioners are victims of over implications. They are separate in mess and property and have never tortured the deceased and demanded any dowry. Thrust of accusation is against husband of the deceased, who is already in custody since 29.06.2024. Petitioners have got no criminal antecedent.

7. Learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioners.



8. Having considered the aforesaid facts and circumstances of the case, let the petitioners, namely, **Ranjan Kumar Mahto @ Ranjan Mahto, Mithun Kumar and Hanuman Mahto, be released on bail**, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, on furnishing bail-bonds of Rs. 10,000 (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Muzaffarpur (West) in connection with Kathaiya P.S. Case No. 117 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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