

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79970 of 2024

Arising Out of PS. Case No.-161 Year-2019 Thana- AWTARNAGAR District- Saran

Raja Kumar @ Raja Kumar Mahto S/o- Ram Lakhan Mahto @ Ramlakhan
Mahto R/o Village- Kothiya Soda Godam, Ps-Awatar Nagar Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 80108 of 2024

Arising Out of PS. Case No.-161 Year-2019 Thana- AWTARNAGAR District- Saran

1. Panchiya Devi Wife of Ram Lakhan Mahto @ Ramlakhan Mahto Resident of village- Sada Godam Kothiya, P.S.- Awtar Nagar, District- Saran at Chapra
2. Kusum Kumari D/O Ram Lakhan Mahto @ Ramlakhan Mahto Resident of village- Sada Godam Kothiya, P.S.- Awtar Nagar, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 79970 of 2024)
For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, APP
(In CRIMINAL MISCELLANEOUS No. 80108 of 2024)
For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 10-12-2024 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners seek bail in connection with Awtar



Nagar P.S. Case No. 161 of 2019, instituted for the offences punishable under Section 304(B) of the Indian Penal Code.

3. The prosecution case, in short, is that, daughter of the informant was married to co-accused Dharmendra Kumar. The petitioners along with other co-accused persons including the husband of the deceased used to assault and harass her and demanded dowry. Due to non-fulfillment of demand of dowry, daughter of the informant was killed by the accused persons.

4. Learned counsel for the petitioner in Cr. Misc. No. 79970 of 2024 submits that the petitioner is innocent and has falsely been implicated in the present case. Petitioner is the brother of the husband and he is separate in mess and business from the husband of the deceased. No specific allegation has been attributed against the petitioner. The allegation levelled against the petitioner is general and omnibus in nature. The petitioner is in custody since 22.08.2024 and he is a man of clean antecedent.

5. Learned counsel for the petitioners in Cr. Misc. No. 80108 of 2024 submits that the petitioners are innocent and have falsely been implicated in the present case. Petitioner no. 1 is mother-in-law and petitioner no. 2 is sister-in-law of the deceased and they are also separate in mess and business from



the husband of the deceased. The petitioners are female. The allegation levelled against the petitioners are general and omnibus in nature. No specific allegation has been attributed against the petitioners. The petitioners are in custody since 22.08.2024 and have got no criminal antecedent.

6. Learned counsel for the petitioners also submits that specific allegation of demanding dowry from the deceased is against husband of the deceased i.e. co-accused Dharmendra Kumar. Husband of the deceased is in judicial custody. It is further submitted that final form has been submitted by the police in this case whereafter cognizance has been taken by the Court below against all the accused persons vide order dated 11.11.2022.

7. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

8. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

9. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Awtar Nagar P.S.
Case No. 161 of 2019.

Rajorshi/- **(Rudra Prakash Mishra, J)**

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