

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82488 of 2024

Arising Out of PS. Case No.-58 Year-2024 Thana- HASANPUR District- Samastipur

1. Ram Sahay Mahto @ Ramsahay Mahto S/O Anup Mahto R/O Village- Sihi, Tola- Pirauna, P.S- Hasanpur, Distt.- Samastipur.
2. Ajanas Devi @ Ajnas Devi W/O Sri Ram Sahay Mahto @ Ramsahay Mahto R/O Village- Sihi, Tola- Pirauna, P.S- Hasanpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Adv.

For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 16-12-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Hasanpur P.S. Case No. 58 of 2024 (G.R. No. 502 of 2024) registered for the offences punishable under Sections 304-B, 201, 498A/34 of the Indian Penal Code.

3. As per prosecution case, the accusation against the accused persons including the petitioners is of demanding dowry and, due to non-fulfillment of dowry demand, the deceased (Sangeeta Kumari) was murdered by them and also disappeared her dead body.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case. The petitioner no.1 is the father-in-law and petitioner no.2 is the mother-in-law of the deceased and they live separately. There is no specific or direct allegation of any overt act against the petitioners rather the same are general and omnibus in nature. The specific allegation is against the husband of the deceased who is already in custody. He further submits that as a matter of fact, the deceased took poison in a fit of rage following some dispute between the husband and the wife but, wrongly, the entire family members of the matrimonial home has been made accused in this case. He further submits that the date of occurrence is 06.06.2024, the Informant submitted her written report on 07.06.2024, the F.I.R. was registered on 08.06.2024 when the F.I.R. reached to the court of learned Additional Chief Judicial Magistrate-IV, Rosera on 11.06.2024 which suggests that the F.I.R. was registered by antedating, which creates suspicion and doubts in the alleged occurrence. The petitioners have no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioners have no concern with the alleged occurrence.

5. Learned counsel for the petitioner further submits



that the co-accused Rupam Kumar has already been granted anticipatory bail by this Court vide order dated 03.10.2024 passed in Cr. Misc. No. 68589 of 2024.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory 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 the learned court below where the case is pending/successor court in connection with Hasanpur P.S. Case No. 58 of 2024 (G.R. No. 502 of 2024), subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

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