

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17445 of 2025**

Arising Out of PS. Case No.-451 Year-2024 Thana- GHORASAHAN District- East  
Champaran

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1. Bhagwati Devi W/o Budhan Mahto RO Village- Rajvada, PS- Ghorasahan, District- East Champaran
  2. Budhan Mahto S/o Ram Kishun Mahto RO Village- Rajvada, PS- Ghorasahan, District- East Champaran
  3. Dilranjan Kumar S/o Budhan Mahto RO Village- Rajvada, PS- Ghorasahan, District- East Champaran
  4. Subhanshu Kumar S/o Budhan Mahto RO Village- Rajvada, PS- Ghorasahan, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jay Narayan Mahto S/o Late Nirshu Mahto R/o vill - Karsahiya, P.S.- Dhaka, distt.- East Champaran

... .. Opposite Party/s

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**Appearance :**

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| For the Petitioner/s     | : | Mr. Jitendra Kumar, Advocate     |
| For the Opposite Party/s | : | Mr. Anand Kishore Choudhary, APP |
| For the Informant        | : | Mr. Advocate                     |

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      21-04-2025                      Heard Mr. Jitendra Kumar, learned counsel for the petitioners, learned counsel for the Informant and Mr. Anand Kishore Choudhary, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Ghorasahan P.S. Case No. 451 of 2024, F.I.R. dated 29.11.2024 for the offences punishable under Sections 80, 3(5) of Bharatiya Nyaya Sanhita.



3. According to prosecution case, the informant alleged that the petitioners along with other co-accused persons committed murder of her daughter (now, deceased) due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. From bare perusal of FIR it appears that there is no specific allegation of assault or overt act or demand of dowry rather there is general and omnibus allegation against the petitioners. The petitioners are in-laws of deceased and also separate in mess and business. Petitioner no.1 is mother-in-law, petitioner no.2 is father-in-law and petitioner nos. 3 and 4 are brother-in-laws of the deceased and husband of the deceased, namely, Santosh Mahto is in judicial custody since 07.12.2024.

5. The learned Additional Public Prosecutor and learned counsel for the Informant vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, petitioners have clean antecedent and husband of the deceased is in judicial custody since 07.12.2024, let the petitioners, above named, in the event of arrest or surrender before the court below



within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Sikrahna at Dhaka, East Champaran in connection with Ghorasahan P.S. Case No. 451 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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