

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46215 of 2025

Arising Out of PS. Case No.-54 Year-2025 Thana- AHIYAPUR District- Muzaffarpur

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1. Damodar Mahto S/o Late Satu Mahto Resident of Village- Basauli Bishunpur Narayan, P.S- Bochacha (O.P. Garha), District- Muzaffarpur
 2. Sunaina Devi @ Rinku Devi Wife of Damodar Mahto Resident of Village- Basauli Bishunpur Narayan, Police Station Bochaha (O.P. Garha) District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shankar Mahto S/o Late Persan Mahto R/o Village- Khetalpur, P.O.- Shahi Minapur, P.S.- Aurai, District- Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amir Alam, Advocate
For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 17-10-2025

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Ahiyapur (Garha O.P.) P.S. Case no.54 of 2025, registered under sections 80, 238 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states that his daughter was married to the son of the petitioners herein in the year 2018. At the time of marriage he had given various ornaments and gifts as mentioned in the F.I.R. It is stated that the accused persons including the petitioners herein were



making demand of an Apache vehicle and money by way of dowry and for non-fulfillment of the same used to torture his daughter. It is stated that the eight named accused persons including the petitioners herein entered into a conspiracy and murdered his daughter and disposed of her body. It is further stated that on receiving information from the co-villagers and reaching the cremation site it transpired that the body had been practically cremated.

4. Learned counsel for the petitioners submits that the petitioners are the father-in-law and mother-in-law of the deceased. The allegations of demand of dowry and torture by these petitioners are all false and concocted. It is further submitted that from the contents of the F.I.R. itself it would transpire that the deceased having died a natural death as a result of illness, the cremation was not taking place at any suspicious location but at the burning *ghat* where the informant side also participated. The husband of the deceased i.e. the son of the petitioners herein is in custody since 11.1.2025. Further the co-accused Dinesh Mahto, Baiju Mahto, Babita Devi and Champa Devi have been enlarged on anticipatory bail vide order dated 5.8.2025 passed in Cr. Misc. no.45723 of 2025. The petitioners have no criminal antecedent and undertake to



cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioners in the F.I.R., the material that has transpired in course of investigation, the allegations against the petitioners who happen to be the father-in-law and mother-in-law of the deceased being general and omnibus in nature, grant of bail to the other named co-accused vide aforesaid order dated 5.8.2025, the husband of the deceased being in custody since 11.1.2025 and the petitioners not having any criminal antecedent, it is directed that the petitioners above named in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Ahiyapur (Garha O.P.) P.S. Case no.54 of 2025 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur.

(Partha Sarthy, J)

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