

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45723 of 2025

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

1. Dinesh Mahto S/o Damodar Mahto Resident of Basauli, P.S.- Bachaha(Garha O.P.), Distt- Muzaffarpur
2. Baiju Mahto @ Baiju S/o Damodar Mahto Resident of Basauli, P.S.- Bachaha(Garha O.P.), Distt- Muzaffarpur
3. Babita Devi W/o Dinesh Mahto Resident of Basauli, P.S.- Bachaha(Garha O.P.), Distt- Muzaffarpur
4. Champa Devi @ Raj Kumari Devi W/o Baiju Mahto @ Baiju Resident of Basauli, P.S.- Bachaha(Garha O.P.), Distt- Muzaffarpur

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amir Alam, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 05-08-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Ahiyapur (Garha O.P.) P.S. Case No. 54 of 2025 instituted for the offence under Sections 80, 238 and 3(5) of Bhartiya Nyaya Sanhita.

3. The case of the prosecution is that the daughter of the informant namely, Pinki Devi (deceased) was married to one



Ramesh Mahto. Further allegation is that she was subjected to cruelty on account of non-fulfillment of dowry demand. It is further alleged that on 09.01.2025 all the family members killed her and cremated her body.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. It is further submitted by learned counsel for the petitioner that the petitioners are in-laws and the husband of the deceased is already in judicial custody. It has also been submitted by learned counsel for the petitioners that the petitioners were living separate from the deceased and they were living outside for their livelihood. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent.

5. In contra, learned APP appearing for the State has vehemently opposed the prayer of bail of the petitioners.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Ahiyapur (Garha O.P.) P.S. Case



No. 54 of 2025, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur subject to the conditions as laid down under section 482(2) of B.N.S.S.

(Ashok Kumar Pandey, J)

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