

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61931 of 2025

Arising Out of PS. Case No.-39 Year-2025 Thana- MAHNAR District- Vaishali

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1. Jag Narayan Mahto @ Jagu Mahto S/o Anandi Mahto R/o Village- Majlishpur, P.O.- Alipur, Ward No. 9, P.S.- Mahnar, Dist.- Vaishali
 2. Pramila Devi @ Jagtarni Devi W/o Jag Narayan Mahto @ Jagu Mahto R/o Village- Majlishpur, P.O.- Alipur, Ward No. 9, P.S.- Mahnar, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-09-2025 Heard Mr. Prabhat Ranjan Singh, learned counsel for the petitioners and Mr. Pramod Kumar Pandey, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Mahnar P.S. Case No. 39 of 2025, F.I.R. dated 31.01.2025 registered for the offences punishable under Sections 80/3(5) of B.N.S. 2023 and Section 3/4 of the Dowry Prohibition Act, 1961.

3. Allegation against the petitioners is that they along with other co-accused persons have in furtherance of their common intention committed the dowry death of the sister of



the informant.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been made accused merely on the ground that they are father-in-law and mother-in-law of the deceased. He further submits that from perusal of the F.I.R. it appears that the F.I.R. was instituted on 31.01.2025 but the postmortem was conducted on 30.01.2025 itself which suggests that the postmortem conducted before the lodging of the F.I.R. He further submits that there is no specific allegation against the petitioners rather there is general and omnibus allegation against the accused persons including these petitioners and apart from that the petitioners are not living with his son and the son of the petitioners who happens to be the husband of the deceased is in judicial custody since 12.06.2025.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and the fact that the petitioners having clean antecedents and the petitioners are in-laws of the deceased and there is no specific allegation against the petitioners and the son of the petitioners is in judicial custody, let the petitioners, above named, in the event of their 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Vaishali at Hajipur in connection with Mahnar P.S. Case No. 39 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) 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 bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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