

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71172 of 2025

Arising Out of PS. Case No.-146 Year-2025 Thana- KATHAIYA District- Muzaffarpur

1. Anita Devi W/o Akhilesh Mahto R/o village - Dora Chhapra, P.S - Kathiya, District - Muzaffarpur
2. Anil Mahto S/o Late Kapildev Mahto R/o village - Dora Chhapra, P.S - Kathiya, District - Muzaffarpur
3. Sudama Devi W/o Anil Mahto R/o village - Dora Chhapra, P.S - Kathiya, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Bela Singh, Adv.

For the Opposite Party/s : Mr.Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Kathaiya P.S. Case No. 146 of 2025 instituted for the offences under Sections 80, 3(5) of the Bhartiya Nyaya Sanhita, 2023,

3. As per prosecution case, the accusation against the accused persons including the petitioners is of harassing, assaulting and ultimately committing murder of the deceased for non-fulfillment of dowry demand.

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 cousin mother-in-law, petitioner no.2 is the grandfather-in-law and petitioner no.3 is the grandmother-in-law of the deceased namely Rima Devi. It is further submitted that the petitioners have neither demanded any dowry nor there is any allegation of dowry against the petitioners and, thus, no offence is made out against the petitioners under Section 80 of the B.N.S. Learned counsel for the petitioners further submits that the petitioner no.1 lives separately since last fifteen years from the family of the husband of the deceased. The petitioner nos. 2 & 3 also lives separately with their younger son Akhilesh Mahto and have no concern with the mess and daily affairs of the husband of the deceased Pankaj Kumar Mahto. It is further submitted that the specific allegation of demand of dowry is against the husband of the deceased who is in custody since 30.07.2025. The petitioners have no criminal antecedent and are languishing in judicial custody since 31.07.2025 without any rhyme or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners, stating that the offence alleged is serious in nature.

6. Having heard rival contention of both the parties



and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioners, let the petitioners, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kathaiya P.S. Case No. 146 of 2025.

(Rudra Prakash Mishra, J)

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