

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80478 of 2025

Arising Out of PS. Case No.-95 Year-2025 Thana- PURUSHOTTAMPUR District- West
Champaran

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1. Sima Devi S/O Bhagwan Lal Mahto R/O Vill.- Madhuri, P.S-
Purushottampur, District - West Champaran
 2. Gyanchan Mahto @ Gyanchand Mahto S/O Late Gorakh Mahto R/O Village
Madhuri, PS - Purushottampur, District- West Champaran.
 3. Bhagwan Lal Mahto S/O Gyanchan Mahto @ Gyanchand Mahto, R/O
Village Madhuri, PS - Purushottampur, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-12-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. Petitioners apprehend their arrest in a case registered
for the offences punishable under Sections 80(2) and 3(5) of
B.N.S., 2023.

3. Learned counsel for the petitioners submits that
petitioners no.1 and 3 are persons with clean antecedent and
petitioner no.2 has antecedents of two cases and the informant
alleges that her daughter was married to Daroga Mahto in the year
2023, out of the wedlock a child was born. Further, on 26.07.2025
her daughter along with the child after dinner went to sleep in their
room. It is next alleged that under a conspiracy, her husband along
with the accused persons including the petitioners assaulted her



daughter and killed her by putting a pillow on her face. Accordingly, on receiving information, the informant reached the place of occurrence and informed the police and the dead body was sent for post mortem.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations, as alleged in the FIR, it would manifest that the informant is not an eye witness to the occurrence and the entire allegation hinges around suspicion. It is also submitted that no allegation of torture or dowry is alleged. It is next submitted that petitioner no.1 is wife of petitioner no.3 and petitioner no.3 is cousin brother of the husband of the deceased and petitioner no.2 is uncle of the husband of the deceased. It is further submitted that the petitioners reside separately and were not involved in the day to day life of the deceased and her husband. It is next submitted that had the petitioners been involved in the occurrence, in that event, efforts would have been made to dispose of the dead body with a view to conceal evidence but then the body was lying in the house and was sent for post mortem for ascertaining the cause of death. It is also submitted that doctors opined the cause of death as asphyxia due to hanging. It is lastly submitted that the petitioners will not abscond rather will cooperate in the investigation to prove their



innocence.

5. The learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, let petitioners, above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Purushottampur P.S. Case No.95 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. However, it is made clear that if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioners despite giving assurance to this Court are not cooperating in the investigation, in that event, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioners.

(Satyavrat Verma, J)

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