

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90278 of 2025

Arising Out of PS. Case No.-18 Year-2025 Thana- Balwahat District- Saharsa

1. Triful Devi W/o- Late Shivo Mahto Village- Barsam Ward No- 05 Police Station- Balwahat District- Saharsa
2. Bulbul Devi @ Sukani Mahto W/o- Mukesh Kumar @ Mukesh Mahto Village- Barsam Ward No- 05 Police Station- Balwahat District- Saharsa
3. Khabru Mahto S/o- Sukamar Mahto Village- Barsam Ward No- 05 Police Station- Balwahat District- Saharsa
4. Dipak Mahto @ Deepak Mahto S/o- Khabru Mahto Village- Barsam Ward No- 05 Police Station- Balwahat District- Saharsa
5. Ful Kumari Devi W/o- Pramod Maht, D/o- Late Shibo Mahto Village- Barsam Ward No- 05 Police Station- Balwahat District- Saharsa, P/A- Mohanpur Dehad, W.No-14, Ps- Sonbarsa Raj Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Kumar Singh, Adv.
For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners are apprehending their arrest in connection with Balwa Hat P.S. Case No. 18 of 2025 dated 26.01.2025 registered for the offence punishable under Sections 80, 108, 61(2), 3(5) of the B.N.S. (corresponding Sections 304B, 306, 120B, 34 of the I.P.C.).

3. As per prosecution case, the accusation against the accused persons including the petitioners is of demanding



money as dowry and subjected her to cruelty and, on account of non-fulfillment of the alleged dowry demand, they killed the Informant's daughter.

4. Learned counsel for the petitioners, by referring to the allegations made in the F.I.R., submits that the entire allegations made by the Informant is mainly against the husband of the deceased and the police, upon investigation, had filed charge-sheet only against the husband of the deceased but, by differing with the police report, the cognizance as against the petitioners is said to have been taken and the petitioner nos. 1 to 4 are in-laws and relatives while the petitioner no.5 is the married sister-in-law of the deceased. It has next been submitted that the husband of the deceased is already languishing in judicial custody since 03.03.2025 and the petitioner are law abiding persons and there is no chance of absconding or tampering with the evidences. All the petitioners are living separately and have a separate mess and had no cause or concern with the internal family disputes which is alleged in the F.I.R.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case and the fact that the husband of the deceased is already



in judicial custody, this Court is inclined to grant privilege of anticipatory bail to the petitioners. Accordingly, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Saharsa in connection with Balwahat P.S. Case No. 18 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Ajit Kumar, J)

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