

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 7240 of 2024

1. Soni Devi @Soni Kumari, W/o Chhoti Rat, R/o Village Dhanpahari, P.O. & P.S. Jasidih, District- Deogarh.
2. Malti Devi, W/o Kodu Raut, R/o Village Dhanpahari, P.O. & P.S. Jasidih, District- Deogarh.
3. Pratima Devi, W/o Mukesh Raut, R/o Village Dhanpahari, P.O. & P.S. Jasidih, District- Deogarh.
4. Godo Rat @Raut, S/o Chinta Raut, R/o Village Dhanpahari, P.O. & P.S. Jasidih, District- Deogarh.

... **Petitioners**

Versus

1. The State of Jharkhand
2. Baleshwar Mahato, S/o Late Devi Mahato, R/o Baratanr, P.O. & P.S. Burai, District- Deoghar.

... **Opposite Parties**

CORAM : SRI ANANDA SEN, J.

For the Petitioner :	Mr. Ankit Kumar, Advocate
For the State :	Mr. Praful JoJo, A.P.P.

09/ 11.07.2025

This anticipatory bail application under Section 482 and 484 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, has been preferred by the petitioners apprehending their arrest in connection with Jasidih P.S. Case No. 289 of 2022 for offences registered under Sections 498A, 302, 201 & 34 of the Indian Penal Code, pending before the Court of the Additional Chief Judicial Magistrate, Deoghar.

2. As per the First Information Report, it has been alleged by the informant that his sister was married about 30 years ago and she was living with her husband in a joint family. It has been alleged that since last 5-7 years, the petitioners and others started harassing and torturing the sister of the informant and her husband due to which her husband also became mentally sick. It has further been alleged that the sister of the informant did not have any children out of their wedlock. Petitioners stopped giving food to informant's sister, due to which, she asked for partition and she wanted to mortgage her silver chain, whereupon the petitioners forcibly took her inside the room and after killing her by hanging, the petitioners have given it a colour of suicide.

3. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in the present case due to village politics. The petitioners have never demanded dowry and were not

present at the place of occurrence, hence no case can be made out against the petitioners as alleged in the First Information Report.

4. Learned A.P.P. appearing for the state vehemently opposed the prayer of the petitioners for grant of anticipatory bail and contended that that the petitioners tortured the deceased by not giving her food. The petitioners had also threatened the deceased to kill her of starvation. Witnesses examined in course of investigation have supported the prosecution case and the cause of death is due to asphyxia as stated in the post mortem report. The petitioners after the death of the informant were taking the body for cremation even without informing her family, whereupon a villager seeing the same informed the informant. With the efforts of the informant, police came and sent the dead body for postmortem. He also submitted that the petitioners are evading investigation.

5. In order to appreciate the arguments of the parties, I have gone through the available records including the case diary. I find that there is specific and direct allegation against the petitioners, who are all in-laws of the deceased, of having assaulted the deceased and compelling her to live under a state of starvation. Witness Laxman Raut, examined in course of investigation (paragraph 11 of the case diary) has stated that he had informed about the death of the deceased to the informant whereafter when the police came, the petitioners had fled. He has also stated that the petitioners used to often torture and assault the deceased and her husband. Other witness, namely, Binod Kumar Yadav (paragraph 12 of the case diary) has also stated in similar manner. They had also stated that on seeing the police, the petitioners had fled. It has also come in evidence that the petitioners were trying to cremate the dead body without even informing to the informant or the police. The postmortem report shows that the cause of death is due to asphyxia which leads to C.R. failure and death. From the Case Diary it also appears that the petitioners are evading investigation.

6. Considering the nature of allegation and the aforesaid facts, I am not inclined to grant privilege of anticipatory bail to the petitioners. The prayer for grant of anticipatory bail of the petitioners is hereby rejected.

7. This anticipatory bail application is, accordingly, dismissed.

(Ananda Sen, J.)