

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5072 of 2015

Arising Out of PS.Case No. -266 Year- 2012 Thana -GAYGHAT District- MUZAFFARPUR

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1. Parwati Devi wife of Sone Mahto
 2. Amarika Devi wife of Lalo Mahto
 3. Lalo Mahto son of Late Ramanand Mahto, All resident of village – Hanumannagar, P.S. - Gaighat, District - Muzaffarpur.
 4. Sogarath Mahto Son of Ramlal Mahto
 5. Gayatri Devi wife of Sogarath Mahto, Both resident of village – Chandua, P.S. - Kudhani, District - Muzaffarpur.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Satyendra Narayan Singh
 For the Opposite Party/s : Mr. A.L.Pandit (APP)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2. 05-02-2015. Heard both sides.

The petitioners, five in number, apprehend their arrest in Gaighat P.S.Case No.266 of 2012 under sections 304B and 120B of the Indian Penal Code.

The informant alleged that his daughter Pramila Devi was firstly married with Niranjana Mahto who died and after his death, she was married to one Sone Mahto, the younger brother of Niranjana Mahto, about six years back. It is further alleged that the accused persons subjected her to physical and mental torture due to non-fulfillment of additional demand.

Learned counsel for the petitioners submits that the occurrence is of 17th June, 2012, but the complaint petition was filed on 16.11.2012 on the basis of which, the present FIR was lodged. It is further submitted that on perusal of the FIR, it would

appear that Pramila Devi was firstly married with Niranjan Mahto and after his death, she was married to Sone Mahto and therefore, the allegation of demand of dowry and torture is absolutely false. No specific allegation is made against the petitioners and the husband of the deceased is behind the bar.

Considering the facts aforesaid and the fact that the petitioners are in-laws of the deceased, the above named petitioners, in the event of their arrest/surrender within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on their furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Amit Kumar Dixit, Judicial Magistrate, Ist Class, Muzaffarpur in connection with Gaighat P.S.Case No.266 of 2012, subject to condition as laid down under section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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