

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37584 of 2014

Arising Out of PS.Case No. -1110 Year- 2013 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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1. Kishori Mahto Son of Late Ram Lakhan Mahto
2. Shail Devi wife of Kishori Mahto
3. Santosh Kumar son of Kishori Mahto
4. Shail Devi @ Shaalu Devi wife of Santosh Kumar All 1 to 4 r/o village
Kanhauli, P.S. Kanhauli, District- Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar
2. Setu Devi wife of Late Rambabu Kumar, daughter of Yogendra Bhagat
r/o village- Haribela, P.S. Bathnaha, District - Sitamarhi

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra

For the Opposite Party/s : Mr. Ramchandra Singh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 18-03-2015 Heard both sides.

The petitioners apprehend their arrest in Complaint
Case No. 1110 of 2013, registered for the offences punishable
under Section 498(A) of the Indian Penal Code.

The complainant filed the complaint petition alleged
therein that after death of her husband the petitioners who are in-
laws demanded dowry and subjected her to physical and mental
torture. They also ousted her from the house. The complainant has
further stated that she filed the complaint case after the death of
her husband and the same was sent for registration on the basis of
which Sitamarhi (Mehsaul) P.S. Case No. 464 of 2013 was

registered under Sections 306, 201 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are father-in-law, mother-in-law, brother-in-law and sister-in-law of the complainant. The complainant after death of her husband wanted undue share in the ancestral property and that is why she filed this case.

On the other hand learned counsel for the complainant submits that the petitioners did not appear before the learned Sessions Judge for reconciliation nor put forth any proposal for partition of the property.

It appears from the perusal of the records that the complainant after death of her husband made allegation of demand of dowry and torture against the petitioners, in-laws and the complainant had filed this case only to get share in the ancestral property.

Considering the facts aforesaid the petitioners above named in the event of their arrest or surrender before the court below 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 furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the

satisfaction of the Learned Sub-Divisional Judicial Magistrate,
Sitamarhi in connection with Complaint Case No. 1110 of 2013,
subject to the conditions as laid down under Section 438(2) of the
Cr.P.C.

(Prabhat Kumar Jha, J.)

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