

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41747 of 2014

Arising Out of PS.Case No. -74 Year- 2014 Thana -SIDHWARA District- DARBHANGA

=====

1. SURESH MAHTO, SON OF RAMASHIS MAHTO,
2. SUNDAR MAHTO, SON OF SURESH MAHTO,
3. KRISHNA KUMAR MAHTO, SON OF SURESH MAHTO,
4. KAILASHIYA DEVI, WIFE OF SURESH MAHTO, ALL ARE
RESIDENT OF VILLAGE - PIPRA, P.S SINGHWARA, DISTRICT -
DARBHANGA.
5. SANJAY MAHTO, SON OF JHAPASI MAHTO,
6. NEELAM DEVI, WIFE OF SANJAY MAHTO, BOTH ARE
RESIDENT OF VILLAGE - BISFI, P.S - DISTRICT- MADHUBANI.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

=====

with

Criminal Miscellaneous No.47286 of 2014

Arising Out of PS.Case No. -74 Year- 2014 Thana -SIDHWARA District- DARBHANGA

=====

SURAJ MAHTO, SON OF SURESH MAHTO, RESIDENT OF VILLAGE
- PIPRA, P.S. - SINGHWARA, DISTRICT - DARBHANGA.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR.

.... OPPOSITE PARTY/S

=====

Appearance :

(In Cr.Misc. No.41747 of 2014)

For the Petitioner/s : Mr. Iqbal Asif Niazi

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

(In Cr.Misc. No.47286 of 2014)

For the Petitioner/s : Mr. Iqbal Asif Niazi

For the Opposite Party/s : Mr. Parmanand Prasad (App)

=====

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 16-04-2015 Learned counsel for the petitioners is directed to

make necessary correction in the cause title of Criminal Misc.

No. 41747 of 2014.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

Both applications are related to Singhwara P.S. Case No. 74 of 2014 registered under Sections 498A, 342, 341, 323, 307, 504 and 506/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act, hence both applications are heard together and are being disposed of by common order.

Learned counsel for the petitioners submits that petitioners in Criminal Misc. No. 41747 of 2014 are in-laws and petitioner in Criminal Misc. No. 47286 of 2014 is husband of Radha Devi, daughter of informant, Geeta Devi and they have falsely been implicated in this case. It is further submitted that, in fact, marriage of Radha Devi, daughter of informant, was performed with Suraj Mahto on 24.04.2010 after some time the daughter of informant left the Sasural house and expressed her willingness towards her husband and did not want to live in Sasural house. Thereafter, Suraj Mahto, filed Matrimonial Case No. 202 of 2012 for restitution of conjugal right against his wife, Radha Devi, daughter of informant, due to that reason present case has been lodged. It is further submitted that it would appear from the impugned order dated 01.11.2014 passed in A.B.P. No.

1329 of 2014 by the Sessions Judge daughter of informant has flatly refused to live with her husband, petitioner, Suraj Mahto.

Considering the aforesaid submissions, let the above named petitioners be released on anticipatory bail, in the event of their arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga, in connection with Singhwara P.S. Case No. 74 of 2014, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

U		T	
---	--	---	--