

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36972 of 2016

Arising Out of PS.Case No. -71 Year- 2016 Thana -IMAMGANJ District- GAYA

- =====
1. Surti Devi W/o late Ram Ratan Mahto
 2. Suman Devi W/o Satish Kumar
 3. Reeta Devi D/o late Ram Ratan Mahto
 4. Rajesh kumar S/o Birendra Prasad

All Resident of Village- Moneya, PS Imamganj, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

with

Criminal Miscellaneous No.41599 of 2016

Arising Out of PS.Case No. -71 Year- 2016 Thana -IMAMGANJ District- GAYA

- =====
1. Ranjit Kumar Son of Late Ram Ratan Mahto Resident of Village-
Moneya, P.s.- Imamganj, District-Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

(In Cr.Misc. No.36972 of 2016)

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sri Ahtash Ali Khan

(In Cr.Misc. No.41599 of 2016)

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sri Surendra Prasad Singh

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

4 04-10-2016

Heard learned counsel for the petitioners and the
State.

The petitioners being the mother, brother's wife,
married sister and nephew (sister's son) of the husband of



the daughter of the informant in Cr. Misc. No. 36972 of 2016 and husband of the daughter of the informant in Cr. Misc. No. 41599 of 2016 are apprehending their arrest in a case registered for the offences punishable under Sections 498A/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of dowry demand. It is specifically alleged by the informant Ram Chandra Prasad in the First Information Report dated 15.02.2016 is to the effect that he got his daughter Munni Devi married with the petitioner on 19.05.2013 as per the Hindu rites and customs. Subsequent to the marriage, further demand of Rs. 60,000/- and Hero Honda motorcycle was made and not fulfillment of the same, torture was inflicted to the daughter of the informant. On 10.05.2016 when the informant went to the in-laws house of his daughter then he found his daughter and grand daughter missing. When the father-in-law of his daughter refused to divulge the nature, thereafter informant along with his family members search his daughter, but he could not be located.

It is submitted by the learned counsel for the petitioners that in fact the daughter of the informant used to threaten her husband and due to consistent threat he filed an application before the Mahila Help Line, Gaya, wherein notices were issued to the daughter of the

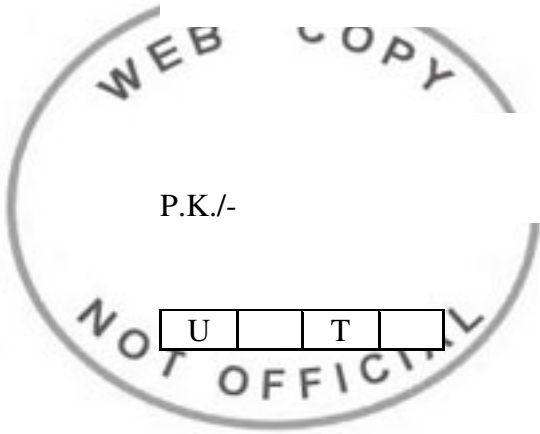


informant and thereafter the matter was resolved between the parties, but subsequently she again went to her parents house without consent of her husband, but the issue was reconciled again. Hence, the victim left the house, went somewhere from parents house and not from her in-laws house. It is further submitted that during investigation also it is only found that victim has gone traceless and still the case has only been registered under Sections 498A/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act. Petitioner No. 1 namely Surti Devi is 75 years old woman in Cr. Misc. No. 36972 of 2016.

Learned A.P.P. after going through the case diary submits that the victim have been reported to be traceless. Though, the case diary was called for vide order dated 29.08.2016, but the case diary has been recorded till 12.06.2016, this reflects casual manner in which the investigation is being carried.

Considering the nature of accusation being omnibus and general, let the above named petitioners be released on bail till the conclusion of investigation in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sherghati (Gaya) in connection

with Imamganj P.S. Case No. 71 of 2016, subject to conditions
as laid down under Section 438(2) of the Cr.P.C.



(Dinesh Kumar Singh, J)