

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27442 of 2016

Arising Out of PS.Case No. -464 Year- 2013 Thana -COMPLAINT CASE District- LAKHISARAI

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1. Rajendra Mahto, son of Late Ramswaroop Mahto.
 2. Manakaba Devi, Wife of Rajendra Mahto.
 3. Ajit Kumar, Son of Rajendra Mahto.
 4. Prakash Mahto, son of Late Ramswaroop Mahto.

All are Resident of Village: Hussaina, P.O.: Paharpur, P.S.:
Mednichowki, District:- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Prachi Kumari @ Bibha Daughter of Umesh Mahto, Wife of Ravish Kumar, Resident of Village- Jhapani, P.S.:- Medni Chowki, District: Lakhisarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 21-07-2016

Heard learned counsels for the petitioners

and the State.

The petitioners being the parents, brother and uncle of the husband of the complainant are apprehending their arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A, 323, 379, 494 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

The basis accusation is of torture for non-fulfillment of the dowry demand and performing second

marriage.

It is submitted by learned counsel for the petitioners that the thrust of accusation is against the husband of the complainant. The accusation of torture has been made after 14 years of the marriage when the petitioners claim to be separate from the husband of the complainant. Statement to that effect has been made in paragraph 8 of the petition.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail, in the event of 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 Chief Judicial Magistrate, Lakhisarai in connection with Complaint Case No. 464(C) of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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