

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7167 of 2017

Arising Out of PS.Case No. -61 Year- 2015 Thana -MAHILA P.S. District- MADHUBANI

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1. Lal Yadav @ Munilal Yadav S/O Late Tar Kishore Yadav
 2. Amerika Devi @ Amrika Devi @ Amirka Devi W/O Lal Yadav @ Munilal Yadav
 3. Arati Kumari D/O Lal Yadav @ Munilal Yadav. All are resident of Village- Pirogardh Tole Bholirahi, P.S. Ghoghardiha, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Sri Umeshnand Pandit

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 01-03-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Madhubani Mahila P.S. Case No. 61 of 2015/ G.R. No. 2561 of 2015 for the offences punishable under sections 341, 342, 323, 504, 498 (A), 379 and 384/34 of the I.P.C and section 34 of the Dowry Prohibition Act.

Allegedly, the informant Anju Devi was married to Ganga Prasad Yadav on 19.05.2013 and after 1½ years of marriage the husband and the petitioners started demanding one milky buffalo, one bhar gold and cash of Rs. 1,00,000/- and due to non fulfillment she was being assaulted and one day the petitioner



no.2 and her husband came to provide food wherein some smell was coming resulting the informant did not eat that food and when in the morning it was given to crow the crow died after eating. The husband is having illicit relationship with petitioner no.2 and when it was opposed she was being assaulted and ultimately her all articles are snatched and she was ousted from her in-laws house resulting the informant lodged a case in Jhanjharpur court and then her husband and petitioner no.1 came to her Naihar and after giving assurance brought back in in-laws house where again they took signature on three plain papers and ousted her from the in-laws house.

Submission is of false implication and that the petitioners are Bhaisur, Gotni and Niece, they are living separately since long from the husband and the informant, they have got no concern with the informant and her husband, they have unnecessarily been made accused in this case, the prosecution story appears not reliable and probable and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioners

In the facts and circumstances as stated above, considering that the petitioners are Bhaisur, Gotni and Niece and



as such they, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of. S.D.J.M. Madhubani in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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