

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25539 of 2017

Arising Out of PS.Case No. -53 Year- 2017 Thana -BIBHUTIPUR District- SAMASTIPUR

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1. Ram Pukar Mahto son of Shiv Nandan Mahto
2. Vijay Kumar Mahto Son of Shiv Nandan Mahto
3. Gita Devi wife of Arvind Kumar
4. Ahilya Devi wife of Shiv Nandan Mahto All are residents of Village -
Ek dara, Police Station - Bibhutipur, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Prakash Sharma

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

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

2 14-07-2017 Learned Counsel for the petitioners submits that

petitioner no. 2 has already been arrested and this
application, so far as petitioner no. 2 is concerned, has
become infructuous.

Accordingly, this application, so far as petitioner
no. 2 is concerned, is dismissed as having become
infructuous.

Heard learned Counsel for the petitioner nos. 1,
3 and 4 and learned Additional Public Prosecutor for the
State.

This application, for grant of anticipatory bail,
arises out of Bibhutipur Police Station Case No. 53 of 2017,



disclosing offences under Sections 498A/379/307/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The petitioner nos. 1, 3 and 4 are the in-laws of the informant. The matrimonial discord appears to be the root cause of lodging of the First Information Report.

The Courts have taken judicial notice of the fact that family members of the husband are implicated in order to create pressure on the husband and his family members.

There is no reason for this Court to feel that if granted anticipatory bail, the petitioners shall flee from the course of investigation or trial.

It is submitted that the petitioners shall present themselves before the police as and when required and there is no chance that they will tamper with the evidence or influence the witnesses.

Considering the nature of accusation and submissions advanced on behalf of the petitioners, this application is allowed.

Let the petitioner nos. 1, 3 and 4, namely, Ram Pukar Mahto, Gita Devi and Ahilya Devi, in the event of their arrest or surrender before the Court below within six weeks, 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 learned Additional Chief Judicial Magistrate, Rosera, Samastipur, in connection with Bibhutipur Police Station Case No. 53 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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