

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43101 of 2017

Arising Out of PS.Case No. -25 Year- 2017 Thana -MAHILA P.S. District- SITAMARHI

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1. Kishori Mahto, Son of Late Prasadi Mahto,
 2. Sumitra Devi W/o Kishori Mahto,
 3. Baiju Kant Mahto @ Baiju Kant Kumar Son of kishori Mahto,
 4. Rima Devi W/o Baijukant Mahto@ Baiju Kant Kumar, All R/o Village- Bhutahi,P.S.- Sonbarsa, District- Sitamarhi.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sanjay Kumar, Advocate.

For the Opposite Party : Smt. Suman Kumari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-09-2017 Heard learned counsels for the petitioners, informant
and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Sitamarhi Mahila P.S. Case No. 25/2017 for the offences instituted under Sections 498(A)/34 of the IPC and 3/4 of the D. P. Act.

The prosecution story, in brief, is that the accused persons including the petitioners tortured the informant due to non-fulfillment of demand of dowry.

It has been submitted by learned counsel for the



petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. They have falsely been implicated in the present case due to petty family dispute. The petitioner no. 1 is the father-in-law, petitioner no. 2 is the mother-in-law, petitioner no. 3 is the brother-in-law (Bhaisur) and petitioner no. 4 is the sister-in-law (Gotani) of the informant. They are separate in mess and property from the husband of the informant. The case is triable by the Magistrate. The petitioners have further relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

It has been submitted by learned counsels for the State and the informant that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Sitamarhi Mahila P.S. Case No. 25/2017 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 S.D.J.M. Sadar, Sitamarhi, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

