

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38221 of 2017

Arising Out of PS.Case No. -291 Year- 2016 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

- =====
1. Jay Kumar Mahto, Son of Sri Rajendra Mahto @ Nanki Mahto,
 2. Rajendra Mahto @ Nanki Mahto, Son of Late Ramashish Mahto,
 3. Ahilaya Devi W/o Rajendra Mahto @ Nanki Mahto, All R/o Village-
Rampur Tilak, P.S.- Jankinagar, District- Purnea.

.... Petitioners

Versus

1. The State of Bihar.
2. Nitu Devi D/o Kailash Mahto, R/o Village- Uda, P.S.- Udakishunganj,
District- Madhepura.

.... Opposite Parties

=====

Appearance :

For the Petitioner : Mr. Raja Surendra Mohan, Advocate.
For the State : Mr. Sanjay Kumar Sharma, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Complaint Case No. 291C/2016 for the offences instituted under Sections 498(A), 323/34 of the IPC and 4 of the D.P. Act.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the complainant due to non-fulfilment of demand of dowry.

It has been submitted on behalf of 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 case is triable by the Magistrate. The petitioners are in-laws of the complainant. They are separate in mess and property from the husband of the complainant. 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.

On behalf of the State, it has been submitted that the petitioners are named in the complaint case.

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 Complaint Case No. 291C/2016 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. Uda Kishunganj, Madhepura, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)

