

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25643 of 2017

Arising Out of PS.Case No. -3569 Year- 2015 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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1. Sanhu Mahto, son of Late Moti Mahto,
2. Savaria Kunwar, wife of Late Moti Mahto, Both resident of Village-
Girdhar Poiya, P.S.- Kateya, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rita Devi, wife of Sanhu Mahto, daughter of Late Tapan Mahto,
presently residing at Village- Madhav Pur Bujurg, P.O.+P.S.- Tareyan
Sujan, District- Kushinagar, Uttar Pradesh.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No-5

For the Opposite Party/s : Mr. M.Dayal

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 06-07-2017 Heard Mr. Pandey for the petitioners and Mr. Dayal

APP for the State.

The two petitioners herein are husband and mother-
in-law. They are facing prosecution under Section 498A of the
IPC.

It is submitted that the marriage of petitioner no.1
with the complainant was solemnized in 2005 whereas the
complaint has been filed on 19.12.2015. Referring to the order of
the learned sessions Judge, it is submitted that the wife refused to
live with the petitioner. For securing the privilege of bail,
petitioner would be ready and willing to deposit the amount in
favour of the complainant as directed by the Court.

In the facts and circumstances of the case and



submissions of learned counsel for the parties, in the event of their arrest or surrender before the Court below within a period of four weeks from today, the petitioners, named above, 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 the learned Sub Divisional Judicial Magistrate, Gopalganj, in connection with Trial No. 4198 of 2016(arising out of complaint case no. 3569 of 2015, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 with the further following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioners.
- (ii) Along with the bail bonds the petitioner no.1 shall produce receipt/evidence showing payment /deposit of a sum of Rs. 3,500/- (three thousand five hundred) in favour of the complainant.

(Kishore Kumar Mandal, J)

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