

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3434 of 2017

Arising Out of PS.Case No. -41 Year- 2016 Thana -SANGRAMPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Indu Devi, Wife of Vishwanath Mahto.
 2. Vishwanath Mahto, Son of Ramu Mahato,
 3. Manoj Prasad, Son of Vishwanath Mahto, All resident of Village-
Shyampur Barwa, P.S.- Sangrampur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 14-02-2017 Heard learned counsel for the petitioners and

learned counsel for the State.

Petitioners apprehend arrest in connection with

Sangrampur P.S. Case No. 41 of 2016 registered under

Sections- 498A, 504 and other allied sections of the Indian

Penal Code.

The informant has alleged that she was married to

Pramod Prasad, but unfortunately her husband was killed in a

train dacoity. On 05.01.2013 while she was sleeping with her

daughter, her Devar, Anmol Prasad came and committed rape

upon her. She was assured that Anmol Prasad will marry her.

Anmol Prasad also kept the compensation amount provided by

the Railways. Ultimately she was assaulted and ousted from the



matrimonial home.

Learned counsel for the petitioners submits that petitioners are victims of false implication due to oblique and ulterior motive. Petitioners never demanded any dowry nor subjected her to cruelty. It was the informant on whose instigation, partition was done in the family. She and her husband were living separately from the family. Informant has filed this case to seek money from the petitioners. There is no specific allegation against the petitioners. Allegation of rape is against accused, Anmol Prasad.

Considering the facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender within a period of four weeks from today, are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of 14th Additional Chief Judicial Magistrate, East Champaran at Motihari in connection with Sangrampur P.S. Case No. 41 of 2016 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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