

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37885 of 2018

Arising Out of PS. Case No.-6 Year-2016 Thana- DERNI District- Saran

1. Shiv Pujan Manjhi, son of late Ram Ayodhya Manjhi
2. Lakhpati Devi, wife of Shiv Pujan Manjhi
3. Lal Mohan Manjhi, son of Shiv Pujan Manjhi
All residents of Village-Pirauna, P.S.- Garkha, District-Saran.

... .. Petitioner/s

Versus

1. State of Bihar
2. Gita Devi, wife of Rama Shankar Manjhi,
Resident of Village- Jitwarpur Mahesiya, P.S.-Derni, District-Saran at present
residing at Village- Srirampur, P.S.-Gorkha, District-Saran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Adv.
For the Opposite Party/s : Sri Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-06-2018 Heard learned Counsel for the petitioners and learned APP
for the State.

The petitioners, being the parents and brother of husband
of the informant, are apprehending arrest in a case registered for
the offences punishable under Sections 147, 148, 323, 354,
498A, 504 of the Indian Penal Code and Sections 3/4 of the
Dowry Prohibition Act.

Initially the prosecution case got initiated with filing of
Complaint Case No.3167/2015, which came to be registered as
police case being Derni P.S Case No.6 of 2016, after its being
transferred under Section 156(3) of the Code of Criminal
Procedure. It is alleged by the informant that her marriage was



performed with Ramashankar Manjhi seventeen years prior to filing of the complaint. There were four children out of the wedlock. Subsequently, the husband and his father demanded Rupees Ten Thousand as further dowry demand and on non-fulfillment of the same, torture was inflicted upon the informant. Ultimately on 12.09.2015, the informant was driven out from the matrimonial house.

It is submitted by learned counsel for the petitioners that the accusation of demanding Rupees Ten Thousand as dowry after 17 years of marriage appears not only unreasonable but absurd also. Petitioner No.1 is 80 years old and petitioner no.2 is 70 years old. Moreover, the thrust of accusation is against the husband of the informant.

It is submitted by learned APP for the State that there is specific accusation against the petitioners.

Considering the thrust of accusation against the husband of the informant and the nature of torture alleged after seventeen years of marriage, which does not inspire confidence, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, 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 ACJM-VII, Saran at Chapra, in connection with Derni P.S. Case No.6 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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