

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6970 of 2018

Arising Out of PS. Case No.-369 Year-2017 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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1.Kamlesh Mahto, s/O- Rajendra Mahto
2. Rajendra Mahto, S/O- Mana Mahto,
3. Kanti Devi, W/O- Rajendra Mahto,
All R/O- village Madhouda, Bardhiya, Via Mirgapur, P.S.- Madhouda,
District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Anjali Devi, wife of Kamlesh Mahto, Daughter of Laxman Mahto, R/o-
Mohalla Purani Chouk, Ward No. 19, P.S.- + District- Gopalganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhramveer
For the Opposite Party/s : Mr. RAMCHANDRA SAHANI

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-02-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 323, 341, 504, 386, 406, 498A/34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioners is of committing torture upon the victim 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 of witnesses alleged against the



petitioners. Petitioner no. 1 is the husband, petitioner no. 2 is father-in-law and petitioner no. 3 is mother-in-law of the victim. They have falsely been implicated in the present case due to petty family dispute. The case is triable by the Magistrate. The petitioners have 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 is submitted that the petitioners are named in the complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Gopalganj, in connection with Complaint Case No. 369/17 (T.R. No. 3426/17), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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