

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18982 of 2018

Arising Out of PS. Case No.-3 Year-2018 Thana- MAHILA P.S. District- Sheikhpura

-
1. Indradeo Mahto, Son of Late Jhri Mahto,
 2. Anjula Devi, Wife of Indradeo Mahto, Both resident of Village- Lohra P.S. and District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-04-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 498A, 313 and 416 of the Indian Penal Code.

Allegation against the petitioners is of committing torture and assault 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. The petitioners are father-in-law and mother-in-law of the victim. They have falsely been implicated in the present



case due to petty family dispute. No offence is made out under Section 313 IPC in the light of the medical examination report enclosed with the F.I.R. As per the report, single live fetus was found in course of investigation by the doctor. Rest of the offences are 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/F.I.R.

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., Sheikhpura in connection with Sheikhpura (Mahila) P.S. Case No. 03/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

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

