

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.960 of 2018

Arising Out of PS. Case No.-390 Year-2010 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

-
1. Amla Devi, Wife of Shankar Mahto @ Shiv Shankar Mahto,
 2. Nirjala Devi, Wife of Sudama Mahto,
 3. Pukar Mahto, Son of Shankar Mahto @ Shiv Shankar Mahto,
 4. Sudama Mahto @ Sudama, Son of Shankar Mahto @ Shiv Shankar Mahto, All resident of Village- Telpur, P.S.- Louriya, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Laxami Prasad, Son of Late Gopal Prasad, Resident of Village- Amawa, P.S.- Muffassil, Bettiah West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anand Kishore Choudhary
For the Opposite Party/s	:	Mr. ASHOK KUMAR SINGH

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-01-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 316, 498A of the Indian Penal Code and ³/₄ of Dowry Prohibition Act.

Allegation against the petitioners is of committing torture upon the daughter of the complainant 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 have falsely been implicated in the present case. Cognizance has been taken only against the husband of the daughter of the complainant. Processes were made under Section 204 Cr.P.C. against the husband. As far as the petitioners are concerned, the prosecution was dropped under Section 203 Cr.P.C. The present application has been preferred as the summonses have been issued during the pendency of the trial under Section 319 Cr.P.C. 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 A.D.J. Vth, Bettiah, West Champaran in connection with S.Tr. No.227 of 2012 arising out of Complaint case No.390 of 2010, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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

