

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29500 of 2018

Arising Out of PS.Case No. -218 Year- 2017 Thana -DARAUNDHA District- SIWAN

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1. BHAGMANI DEVI @ BHAGMATI DEVI, wife of Rudal Mahto.
 2. Kalawati Devi, wife of Bikram Mahto.
 3. Rajesh Mahto.
 4. Brijesh Mahto @ Brajesh Mahto. Both sons of Bikram Mahto.
 5. Uma Devi, wife of Rajesh Mahto.
 6. Sangita Devi, wife of Brajesh Mahto @ Brijesh Mahto.
 7. Bittu Devi @ Sita Devi, wife of Munna Mahto, All Residents of Village- Baunaganj Jalalpur, Police Station- Daronda, District- Siwan.
- Petitioners

Versus

1. The State of Bihar.
2. Rupa Devi, wife of Ajay Mahto, Daughter of Raj Kumar Prasad, Resident of Village- Bal Nawada, Post- Bal Nawada, Police Station- Rasoolpur, District- Chapra.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Raghav Prasad, Advocate.
For the State : Smt. Pushpa Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 18-07-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 498(A), 341, 323, 307, 504 and 506/34 of the IPC.

The prosecution story, in brief, is that the accused persons including the petitioners tortured the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged



against the petitioners. The petitioners have falsely been implicated in the present case due to petty family dispute. The petitioners are in-laws of the victim. They are separate in mess and property from the husband of the victim. There is no medical examination report in respect of offence under Section 307 of the I.P.C. Rests of the offences are triable by the Magistrate. The petitioners have further 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 learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or 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 the learned A.C.J.M.-XI, Siwan, in connection with Daraunda P.S. Case No. 218 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)