

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19809 of 2018

Arising Out of PS.Case No. -132 Year- 2017 Thana -ASHTHWAN District- NALANDA
(BIHARSHARIFF)

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1. Rambriksh Mahto @ Bhattu Mahto Son of late Sukhi Mahto
2. Amola Devi @ Sugiya Devi Wife of Rambriksh Mahto @ Bhattu Mahto
Both Resident of Village-Ugama, Police Station-Asthawan, District-Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan Prasad No. 1

For the Opposite Party/s : Mr. Sir Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 26-04-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections-341, 323, 498(A), 364/34 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

Allegation against the petitioners is of committing torture upon the victim due to non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioners that the petitioners are father-in-law and mother-in-law of the informant. The petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses against the petitioners. The petitioners have falsely been implicated in the present case due to



petty family dispute. Except the offence u/S 364 of the Indian Penal Code, all 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Asthawan P.S. Case No. 132 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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