

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37991 of 2018

Arising Out of PS. Case No.-30 Year-2018 Thana- SULTANGANJ District- Bhagalpur

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1. Ram Mandal , son of late Jhakasi Mandal
 2. Usha Devi, wife of Shri Ram Mandal
 3. Congresh Manda, son of Shri Ram Mandal
 4. Bidhyanand Manda, son of Shri Ram Mandal
 5. Bibhishan Mandal @ Bibhishan Kumar, son of Shri Ram Mandal
 6. Tribhuwan Mandal @ Tribhuwan Kumar, son of Shri Ram Mandal
 7. Nilam Devi, wife of Congresh Mandal
 8. Sunita Devi, wife of Bidhyanand Mandal

All resident of Village-Dudhaila, P.S.-Sultanganj, Distt-Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Gupta, Adv.

For the Opposite Party/s : Mr. Sri Anil Kumar Singh-I, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-06-2018 Heard learned Counsel for the petitioners and learned
APP for the State.

The petitioners, being parents, brothers and brothers' wives of the husband of the informant, are apprehending arrest in a case registered for the offences punishable under Sections 498A/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.



The prosecution case is that the informant was married with co-accused Pritam Kumar on 22.05.2013. The marital life was cordial for few days, but, thereafter, demand of Rupees Ten Lacs was made for running seeds business and due to non-fulfillment of the same, torture was inflicted.

It is submitted by learned counsel for the petitioners that the thrust of accusation is against the husband of the informant and demand of loan for running a business does not come within the purview of demand of dowry. Hence, no case under Sections 3/4 of the Dowry Prohibition Act is made out. The informant has lodged another complaint being Complaint Case No.61 of 2018, which is pending at pre-cognizance stage. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioners are named in the FIR with specific accusation.

Considering the nature of accusation being omnibus and general and the thrust of accusation is against the husband of the informant, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with



two sureties of the like amount each to the satisfaction of the learned ACJM-I, Bhagalpur, in connection with Sultanganj P.S. Case No.30 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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