

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20510 of 2018

Arising Out of PS. Case No.-197 Year-2016 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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1. Vishwanath Mahto, Son of Late Kare Mahto,
2. Parmila Devi, Wife of Vishwanath Mahto, Both Resident of
Village- Sahsaal, P.S.- Basnani, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Phulo Devi, Wife of Vivekanand Mahto, D/o Surendra Mahto, Resident
of Village- Laxmipur Lalchand, P.S.- Bihariganj, District- Madhepura.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Vishoka Nand
For the Opposite Party/s : Mr. Ajay Kumar-1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-04-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case
registered under Sections 323, 498A of the Indian Penal Code
and 4 of Dowry Prohibition Act.

Allegation against the petitioners is of committing
torture 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



respectively of the victim. They have falsely been implicated in the present case due to petty family dispute. The case is 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., Udakishunganj, Madhepura in connection with Complaint Case No. 197/2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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