

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58027 of 2018

Arising Out of PS.Case No. -233 Year- 2017 Thana -KHARIK District- BHAGALPUR

- =====
1. Jyoti Kumari daughter of Umesh Mandal
 2. Umesh Mandal son of Late Jamadar Mandal Both resident of Village Laxmipur Lalchand, P.S. Bihariganj, District Madhepur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Saraswati Devi daughter of Triloki Mandal, wife of Rajesh Mandal Resident of Akidatpur, P.S. Kharik, District Bhagalpur.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arjun Kumar

For the Opposite Party/s : Mr. Sri Ajay Kumar-1

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 20-09-2018

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 498A, 494, 323, 504, 506 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

The prosecution case got initiated with the filing of Complaint Case No. 419 of 2017 which came to be registered as police case after complaint being transferred under Section 156(3) of the Cr.P.C. It is alleged that the informant was married with Rajesh Mandal and subsequently blessed with a



daughter on 19.05.2017. Subsequently, the husband of the informant married petitioner no. 1, Jyoti Kumari and started demanding further dowry demand of Rs.Two lakhs for allowing the informant to resume conjugal life. Petitioner no. 2 is the father of petitioner no. 1.

It is submitted by learned counsel for the petitioners that petitioner no. 1 never got married with the husband of the informant, Rajesh Mandal and petitioners have no relation with him and only on suspicion the accusation has been levelled. Statement to that effect has been made in paragraph 6 of the petition, which reads as follows:-

“That it is stated that the petitioners have no relation with other accused persons with whom the allegations are that the petitioner No. 1 is the second wife of the said Rajesh Mandal and therefore there is completely false and concocted.”

Learned APP submits that the petitioners are named in the FIR with specific accusation.

Considering the fact that 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 twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Naugachiya, District – Bhagalpur in connection with Kharik P.S. Case No. 233 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

DKS/-

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

