

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13140 of 2018

Arising Out of PS.Case No. -184 Year- 2017 Thana -COMPLAINT CASE District- SUPAUL

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1. Ram Kumar Mandal, S/o Late Bindeshwari Mandal,
 2. Rajesh Kumar Mandal @ Rajesh Mandal, Son of Late Bindeshwari Mandal,
 3. Mosomat Khedni Devi, W/o Late Bindeshwari Mandal,
 4. Manju Devi, W/o Rajesh Kumar Mandal @ Rajesh Mandal,
 5. Lalita Devi @ Mosomat Lalita Devi, W/o Late Dilip Mandal, All Residents of Village- Mansapur, P.S.- Karjain, District- Supaul.

.... Petitioners

Versus

1. The State of Bihar.
2. Ruby Devi, W/O Ram Kumar Mandal, Resident of Village- Mansapur, P.S.- Karjain Bazar, District- Supaul. At present Resident of Village- Kajauli, P.S.- Hanuman Nagar, District- Saptari, Nepal.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Parmeshwar Mehta, Advocate.

For the State : Mr. Damodar Prasad Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-03-2018 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), 406, 376, 370, 494, 120(B)/34 of the IPC and 3 of the D.P. Act in which cognizance has been taken under Sections 498(A), 494, 324 and 504 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. Cognizance taken under Sections 498(A), 494, 324 and 504 of IPC are triable by the Magistrate. The petitioner no. 1 is the husband of the victim. The petitioner nos. 2 to 5 are in-laws of the victim. 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 J.M. Ist Class, Birpur, Supaul, in connection with Complaint Case No. 184 of



2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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