

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17078 of 2018

Arising Out of PS. Case No.-15 Year-2017 Thana- BELA District- Sitamarhi

-
1. SHATUGHAN MAHTO @ SHATRUDHAN MAHTO, son of Lochan Mahto.
 2. Jaikal Devi, wife of Shatrudhan Mahto @ Shatughan Mahto.
 3. Sanjay Mahto, son of Shatrudhan Mahto @ Shatughan Mahto.
 4. Rani Devi, wife of Sanjay Mahto,
 5. Jyotik Mahto, son of Shatrudhan Mahto @ Shatughan Mahto.
 6. Nirmala Devi, wife of Jyotik Mahto, All Resident of Village- Bishnupur, P.S.- Bela, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Nilam Devi, wife of Vijay Kumar Mahto, Resident of Village- Chulhai Mahto at present Resident of Village- Khairbani, P.S.- Khairbani, District- Mohtari (Nepal).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar
For the Opposite Party/s : Mr. BINOD KUMAR 3

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-03-2018 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 and 380 of the Indian Penal Code.

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 in-laws. 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 Chief Judicial Magistrate, Sitamarhi in connection with Bela P.S. Case No. 15/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

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

