

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72235 of 2018

Arising Out of PS. Case No.-656 Year-2016 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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1. Abhilasha Devi, Wife of Mohan Mahto,
 2. Mohan Mahto, Son of Ram Swarup Mahto.
 3. Nishal Kumar, Son of Mohan Mahto,
 4. Sunny Kumar, Son of Mohan Mahto, Resident of Village- Bari Bazar, P.S.- Dumra, District- Sitamarhi, Presently Residing at Ward No. 20, P.H.D. Colony, P.S.- Madhubani, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Soni Devi, Wife of Vishal Kumar Chandravanshi, Resident of Village- Bari Bazar, P.S.- Dumra, District- Sitamarhi, Presently Residing at Daughter of Surendra Raut, Village- Khairwa, P.S.- Sitamarhi, District- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jagjit Roshan
For the Opposite Party/s : Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-12-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case
registered under Section 498A of the Indian Penal Code.

Allegation against the petitioners is of committing torture
upon the victim due to non-fulfillment 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 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 Sub Divisional Judicial Magistrate, Sadar, Sitamarhi in connection with Complaint Case No. 656 of 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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