

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52513 of 2019

Arising Out of PS. Case No.-310 Year-2017 Thana- MOTIHARI TOWN District- East
Champaran

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1. Umeshwar Prasad @ Umeshwar Pd. Sinha, Son of Late Dineshwar Prasad Sinha, Resident of Mohalla- Lala Tola, New Agarwa, Motihar, P.S.- Motihari Town, District- East Champaran.
 2. Purnima Sinha, Wife of Umesh Prasad @ Umeshwar Pd. Sinha, Resident of Mohalla- Lala Tola, New Agarwa, Motihar, P.S.- Motihari Town, District- East Champaran.
 3. Bipin Prasad @ Bipin Kumar, Son of Late Bhola Prasad, Resident of Mohalla- Lala Tola, New Agarwa, Motihar, P.S.- Motihari Town, District- East Champaran.
 4. Nilu Sinha @ Nilima Kumari @ Nily Sinha, Wife of Bipin Prasad @ Bipin Kumar, Resident of Mohalla- Lala Tola, New Agarwa, Motihar, P.S.- Motihari Town, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Arti Kumari, Wife of Sujeet Kumar Sinha, Resident of Mohalla- Lala Tola, New Agarwan, Motihari, P.S.- Town Motihari, District- East Champaran, Daughter of Nandan Prasad, Resident of Mohalla- Chandmari, P.S.- Town Motihari, District- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Advocate.
For the Opposite Party/s : Mr.Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 23-08-2019 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Motihari Town P.S. Case No. 310 of 2017, registered under
Sections 307, 328, 406 and 498(A)/34 of the Indian Penal Code
and Sections 3/4 of the Dowry Prohibition Act.



The accusation is of torturing the complainant-opposite party no. 2 by her husband and in-laws through various modes due to non-fulfillment of demand of dowry and removing from her matrimonial house.

Learned counsel for the petitioners submits that initially, Arti Kumari, filed Complaint Case No. 174 of 2017 and on which basis, the present case has been instituted under Sections 307, 328, 406 and 498(A)/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act and after filing the aforesaid complaint case, complainant-opposite party no. 2 used to reside at her Maika house, where she died later on. Further submission is that petitioners are brother-in-law, sister-in-law, *Nandosi* and married *Nanad* of the complainant-opposite party no.2 and they have falsely been implicated in this case with ulterior motive. It is further submitted that Manish Kumar, brother of the complainant-opposite party no. 2, filed compromise petition in the court of Chief Judicial Magistrate, Motihari on 08.09.20147.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond



of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari, in connection with Motihari Town P.S. Case No. 310 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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