

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49832 of 2019

Arising Out of PS. Case No.-399 Year-2019 Thana- LAKHISARAI District- Lakhisarai

1. MUKESH MANDAL @ MUKESH KUMAR MANDAL Son of Late Ramjee Mandal
2. Pushpa Devi W/o Mukesh Mandal @ Mukesh Kumar Mandal
Both Resident of Mohalla - Chitranjan Road, Ward No.10, P.S.- Lakhisarai,
Dist.- Lakhisarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar
For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-08-2019 The petitioners apprehend their arrest in connection with Lakhisarai P. S. Case No. 399 of 2019 registered under Sections 342, 346 and 498A/34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

Allegation against the petitioners, as per FIR lodged by mother of the victim, is that marriage of daughter of the informant was solemnised with one Rakesh Mandal and after some time, petitioners as well as husband of the victim started demanding dowry. It has further been alleged that a compromise had taken place between the parties but after 4 to 5 days of compromise, informant got information from Ram Chandra Mahanth that her daughter Sushama Devi has disappeared and



when enquiry was made by the informant, petitioners as well as Rakesh Mandal, who is husband of victim, refused to disclose whereabouts of daughter of the informant.

Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and they have falsely been implicated in this case inasmuch as a partition in the family has taken place and petitioner no. 1 is elder brother of the husband of the victim and petitioner no. 2 is wife of petitioner no. 1 and they are living separately after the partition since 2013. Learned counsel further submits that husband of victim, namely, Rakesh Mandal is in custody, as stated in para-10 of this application.

On the other hand, learned counsel appearing on behalf of O.P.No. 2 vehemently opposes the prayer for bail and submits that there was illicit relationship between the petitioner no. 2 and the husband of the victim, Rakesh Kumar and further whereabouts of victim Sushama Devi has not been disclosed by these petitioners.

After having heard learned counsel for the parties and taking into consideration the fact that petitioner no. 1 is elder brother of the husband of the victim and petitioner no. 2 is his wife and they are living separately since 2013 and husband of victim is in custody, as such I am inclined to grant anticipatory



bail to the petitioners.

Let the petitioners, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned CJM, Lakhisarai in connection with Lakhisarai P.S.Case No. 399 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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