

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60435 of 2019

Arising Out of PS. Case No.-75 Year-2019 Thana- GAMAHARIYA District- Madhepura

1. Deo Narayan Mandal, Son of Late Adhik Lal Mandal, Resident of Village-Babhani, P.S.- Gamharia, District- Madhepura.
2. Dayamani Devi, Wife of Deo Narayan Mandal, Resident of Village-Babhani, P.S.-Gamharia, District-Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar 1

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 24-09-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Gamharia P.S. Case No. 75 of 2019/CIS No. 680 of 2019, registered under Section 365/34 of the Indian Penal Code.

The accusation is that informant, Deo Narayan Mandal, performed the marriage of his daughter, Rinki Kumari, with Deo Narayan Mandal (petitioner no.1) before two years , who is deaf and dumb and out of their wedlock, she was blessed with a male child, aged about 7 months. Since before six months, his daughter was being tortured by her husband (petitioner no.1) and his co-wife (petitioner no.2) due to non-



fulfillment of demand of dowry. Thereafter, on 23.03.2019, informant went at the Sasural house of his daughter, where he did find his daughter. On query, both petitioners did not give any satisfactory reply. The informant raised suspicion about selling of his daughter by both petitioners to anyone.

Learned counsel for the petitioner submits that, admittedly, daughter of the informant was deaf and dumb and she left the matrimonial house in his absence as he had gone to the house of his sister. When petitioner returned to house, he did not find his wife, regarding which, information was given to the informant and he also gave information to the Gamharia Police Station on 10.03.2019 vide Sanha No. 111 but with ulterior motive the present case has been lodged with false allegation on 15.04.2019 after more than one month. The petitioner has no criminal antecedent.

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 A.C.J.M.-IV, Madhepura, in connection with Gamharia P.S. Case No. 75 of



2019/CIS No. 680 of 2019, subject to the condition as laid down
under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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