

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77637 of 2019

Arising Out of PS. Case No.-38 Year-2019 Thana- MAHILA P.S. District- Madhubani

MITTHU MAHTO @ MITHUN MAHTO @ MITHUN MAHTO Son of
Ghuran Mahto Resident of Village - Suggapatti, P.S.- Phulparas, District -
Madhubani

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Sunita Devi Daughter of Asharfi Mahto Resident of Village - Sihula, P.S.-
Khutauna, District - Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav
For the Opposite Party/s : Mr.Satyadeo Singh Yadav

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-12-2019 This application, for grant of anticipatory bail, arises
out of Mahila P.S. Case No. 38 of 2019, disclosing offences
under Sections 323, 341, 498(A)/34 of the Indian Penal Code
and Section 3 /4 of the Dowry Prohibition Act.

Petitioner happens to be husband of the informant
and allegation against him is of subjecting the informant to
cruelty and torture with respect to demand of Rs. One lakh and
jewellery.

Submission of learned counsel for the petitioners is
that entire allegation is false and concocted and he is still ready
to keep her with full honour and dignity, which will appear from
the fact that petitioner has filed a case under Section 9 of the



Hindu Marriage Act, for restitution of conjugal rights, in which, the informant has also appeared and the present case has been filed after filing of the petition by the petitioner under Section 9 of the Hindu Marriage Act.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Madhubani, in connection with Mahila P.S. Case No. 38 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure with further subjection to the condition that if informant desires to live with the petitioner, petitioner has to keep her with full honour and dignity.

(Vinod Kumar Sinha, J)

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