

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8262 of 2020

Arising Out of PS. Case No.-872 Year-2018 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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1. MANTI DEVI W/o Surendra Mahto R/o village- Ward No. 1, Gopalpur Karari, P.S.- Bachwara, Distt.- Begusarai
 2. Surendra Mahton @ Surendra Mahto S/o Late Kalicharan Mahto R/o village- Ward No. 1, Gopalpur Karari, P.S.- Bachwara, Distt.- Begusarai

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Parwati Devi W/o Mukesh Mahto, D/o Lakhindra Mahto R/o village- Simariya Ghat, Bind Toli, Ward No. 13, P.S.- Barauni (Chakiya), Distt.- Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prem Kumar
For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 19-06-2020 The petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioners and Ms. Renu Kumari, the learned APP for the State.

This is an application for grant of anticipatory bail in connection with Complaint Case No. 872 (C) of 2018 registered for the offence punishable under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.



The case of the prosecution in brief is that the marriage of the complainant was solemnized with one Mukesh Mahton on 5.5.2015 in accordance with Hindu Rites and Rituals, whereafter, she had gone to in-laws place, however, they used to torture her on account of non-fulfillment of the demand for dowry and one day, the accused persons had conspired to kill her by pouring kerosene oil on her body, ultimately, the accused persons had assaulted the complainant on 6.6.2018 and kicked her out of her matrimonial home.

The learned counsel for the petitioners has submitted that the petitioners are the mother-in-law and father-in-law of the complainant, they are innocent, they are having clean antecedent and they do not have any complicity in the matter. It is further submitted that if at all anyone might be having complicity in the matter, it is the husband.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners as also taking into account the fact that the petitioners are mother-in-law and father-in-law of the complainant, I deem it fit and proper to admit the petitioners to



the privilege of anticipatory bail.

Accordingly, the petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Begusarai in connection with Complaint Case No. 872(C) of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is needless to state that the present privilege of anticipatory bail being granted to the petitioners herein shall not be construed to be having any precedential value for the purposes of consideration of the prayer of the husband of the complainant for grant of bail.

(Mohit Kumar Shah, J)

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