

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8648 of 2020

Arising Out of PS. Case No.-130 Year-2019 Thana- SANHAULA District- Bhagalpur

1. GANGA MAHTO Son of Late Paddu Mahto Resident of Village- Maheshpur, P.S.- Sanhoula, District- Bhagalpur.
2. Gangiya Devi Wife of Ganga Mahto Resident of Village- Maheshpur, P.S.- Sanhoula, District- Bhagalpur.
3. Pappu Mahto Son of Ganga Mahto Resident of Village- Maheshpur, P.S.- Sanhoula, District- Bhagalpur.
4. Anand Mahto @ Anand Kumar Mahto Son of Ganga Mahto Resident of Village- Maheshpur, P.S.- Sanhoula, District- Bhagalpur.
5. Laliya Devi Wife of Pappu Mahto Resident of Village- Maheshpur, P.S.- Sanhoula, District- Bhagalpur.
6. Mano Kumari Daughter of Ganga Mahto Resident of Village- Maheshpur, P.S.- Sanhoula, District- Bhagalpur.
7. Uday Mahto Son of Late Ganesh Mahto Resident of Village- Maheshpur, P.S.- Sanhoula, District- Bhagalpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Deoki Devi Wife of Kishan Mahto, Daughter of Birchha Mahto Resident of Village- Belthu, P.S.- Shahkund, District- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra
For the Opposite Party/s : Mr. Anita Kumari

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 25-06-2020 The present 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.

Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail



in connection with Sanhaua PS case no. 130 of 2019 registered for the offences punishable under Sections 498A, 354A/34 of Indian Penal Code and 3/4 of D.P. Act.

The accusation is regarding the accused persons including the petitioners herein having tortured the informant on account of non-fulfilment of the demand for dowry and had then ousted her out of the matrimonial home after brutally assaulting her.

The learned counsel for the petitioners has submitted that the petitioners, before this Court, are in-laws of the victim girl and the husband is not before this Court. It is further submitted that the petitioners have been falsely implicated in the present case and are having clean antecedent. Lastly, it is submitted that the petitioners are ready to settle the matrimonial dispute with the victim girl.

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 parties and taking into account the fact that the petitioners are ready to settle the matrimonial dispute in question, I deem it fit and appropriate to grant liberty to the



petitioners to surrender before the learned court below within a period of two weeks from today, whereupon they shall be granted provisional bail on the very same day and then the learned court of Chief Judicial Magistrate, Bhagalpur in connection with Sanhaua PS case no. 130 of 2019, shall issue notice to the victim girl and engage the petitioners as also the victim girl in mediation proceedings so as to settle the matrimonial dispute in question. It is further directed that the learned court below shall take a final call with regard to either confirming the provisional bail to be granted to the petitioners herein or revoking the same upon considering the outcome of the mediation proceedings as also after application of independent mind, without being prejudiced by its earlier order.

The present petition stands disposed off with the aforesaid directions.

(Mohit Kumar Shah, J)

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