

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9347 of 2020

Arising out of PS. Case No.-774 Year-2018 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

-
1. FULENA MAHATO S/o Late Ramgulab Mahato Resident of Village- Diuliya, Babhani, P.S.- Ram Nagar, Distt- West Champaran.
 2. Parsuram Mahato Son of Late Ramgulab Mahato Resident of Village- Diuliya, Babhani, P.S.- Ram Nagar, Distt- West Champaran.
 3. Sampati Devi W/o Parsuram Mahato Resident of Village- Diuliya, Babhani, P.S.- Ram Nagar, Distt- West Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Sunaina Devi Wife of Fulena Mahato At present Resident of Village - Kapardhika, P.S. - Bhairoganj, District - West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1, Advocate
For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-02-2020 Heard learned counsel for the petitioners and the
learned APP for the State.

The petitioners apprehend their arrest in connection with Complaint Case No. 774 of 2018 (Tr. No. 3084 of 2019) registered for the offences punishable under Sections 323 and 498(A) of the Indian Penal Code.

Prosecution case is that the complainant was married with the petitioner no. 1 and the petitioners used to torture mentally and physically to her. They had ousted her from her matrimonial house and she was residing in her maternal house and maintaining herself from the money which was being sent



by his son. The petitioners used to threaten her that he will not give the share in property and he will transfer the property in the name of others.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to village politics. He further submits that the Complainant is 62 years old and the case was filed in the year 2018 and the dates of marriage as well the birth of child has not been mentioned. He also submits that there is no specific overt act against them.

In the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioners, in the event of their arrest or surrender before the court below within six weeks from the date of communication of this order, the court below shall release them on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I, Bagaha, West Champaran in connection with Complaint Case No. 774 of 2018 (Tr. No. 3084 of 2019), subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

Vikash/-

U		T	
---	--	---	--

