

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81506 of 2019

Arising Out of PS. Case No.-603 Year-2017 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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1. ARVIND MEHTA Son of Bidyanand Mehta Resident of Village - Laxmipur Bhagwati, P.S.- Sri Nagar, Dist.- Madhepura.
 2. Lalit Kumar @ Lalit Mehta Son of Bidyanand Mehta Resident of Village - Laxmipur Bhagwati, P.S.- Sri Nagar, Dist.- Madhepura.
 3. Sintu Mehta Son of Bidyanand Mehta Resident of Village - Laxmipur Bhagwati, P.S.- Sri Nagar, Dist.- Madhepura.
 4. Bidya Nand Mehta Son of Late Ram Prasad Mehta Resident of Village - Laxmipur Bhagwati, P.S.- Sri Nagar, Dist.- Madhepura.
 5. Sumitra Devi Wife of Bidya Nand Mehta Resident of Village - Laxmipur Bhagwati, P.S.- Sri Nagar, Dist.- Madhepura.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Bam Bahadur Jha, Advocate.
For the State	:	Mr. Ramchandra Sahni, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

6 14-07-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State through Video Conferencing.

The petitioners apprehend their arrest in connection with Complaint Case No.603 of 2017 registered under Sections 498A, 364 and 120B of the Indian Penal Code besides Sections 3/4 of the Dowry Prohibition Act.

The accusation is of torturing Babita Kumari, the daughter of the complainant Sita Devi, through various modes, by her husband and other in-laws for non-fulfillment of the demand of



a motorcycle in dowry and also compelling her to leave the matrimonial house.

Learned counsel for the petitioners submits that the petitioners nos.1 to 3 are Dewars (brothers-in-law), whereas the petitioner no.4 is father-in-law and the petitioner no.5 is the mother-in-law of the daughter of the complainant. Due to some petty dispute, the complainant took her daughter from her matrimonial house on 24.09.2017 but, later on, the complainant was not ready to send her daughter in Bidai. Thereafter, Arun Kumar Mehta, the husband of Babita Devi, the daughter of the complainant, filed Matrimonial (Divorce) Case No.82 of 2017, under Section 9 of the Hindu Marriage Act, for restitution of conjugal rights against Babita Devi, the daughter of the complainant, on 09.10.2017. Thereafter, the complainant filed the present complaint case on 16.10.2017 only to harass the petitioners and the husband of her daughter. Further submission is that after filing of the present complaint case, the complainant also lodged Srinagar P.S. Case No.09 of 2018 on 01.02.2018 under Sections 498(A)/34 of the Indian Penal Code against the petitioners and husband of her daughter, in which, on investigation, the police submitted the final form.

Having considered the facts and the circumstances of the



case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sri Pramod Kumar, Additional Chief Judicial Magistrate-III, Madhepura, in connection with Complaint Case No.603 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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