

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32265 of 2022

Arising Out of PS. Case No.-309 Year-2021 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. SHIV NATH MAHTO S/o Late Nathuni Mahto Resident of Village- Braham Tola Turkauliya, P.s.- Turkauliya, Dist- East Champaran.
 2. Devkali Devi W/o Shiv Nath Mahto Resident of Village- Braham Tola Turkauliya, P.s.- Turkauliya, Dist- East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Babita Kumari W/o Dinesh Kumar @ Dinesh Mahto Resident of Village- Braham Tola Turkauliya, P.s.- Turkauliya, Dist. East Champaran, presently resident of Village- D/o Baidyanath Mahto, Resident of Village- Pipra, P.s.- Govindganj, District- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mr.Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-09-2022 Heard the parties.

Learned counsel for the petitioners are directed to remove the defects within four weeks .

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 498-A/34 of the IPC.

Allegedly, the F.I.R. named accused persons including the petitioners are said to have subjected the complainant to cruelty for non-fulfillment of demand of dowry and thereafter they ousted her out of matrimonial house.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence.



They have been falsely implicated in this case with ulterior motive. Petitioners have never made any dowry demand nor have tortured/assaulted her. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. Husband of the victim is already in custody. Petitioners were living separately from the victim and her husband. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 the learned court below where the case is pending/Successor Court in connection with Complaint Case No.C-309/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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