

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47219 of 2022

Arising Out of PS. Case No.-27 Year-2020 Thana- MAHILA P.S. District- Nawada

1. DHARMENDRA PRASAD @ DHARMENDRA KUMAR S/o Janki Mahto
R/o village- Gajodih, P.S.- Govindpur, Distt.- Nawada
2. CHALITAR PRASAD @ CHALITAR KUMAR S/o Janki Mahto R/o
village- Gajodih, P.S.- Govindpur, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ratneshwar Prasad, Advocate Mr. Nitu Kumari, Advocate
For the Opposite Party/s	:	Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 16-12-2022 Heard Mr. Ratneshwar Prasad, learned Advocate
for the petitioners and Mr. Damodar Prasad Tiwary, learned
APP for the State.

The petitioners seek bail in connection with Nawada
Mahila P.S. Case No. 27 of 2020 dated 29.07.2020
instituted for the offences under Sections 341, 323, 325,
354(B) and 498(A) of the Indian Penal Code and Sections
3/4 of the Dowry Prohibition Act.

The petitioners are the brothers of the husband of
the informant who has alleged act of torture against them.

The learned counsel for the petitioners has
submitted that earlier also, the informant had filed a
complaint before Giridih court *vide* Complaint Case No. 3100
of 2019 under Section 498(A) IPC and Sections 3/4 of the



Dowry Prohibition Act in which the petitioners have been granted bail.

On perusal of the FIR, it appears that both the petitioners have been alleged to have physically assaulted the informant. However, the learned counsel for the petitioners has submitted that because of the matrimonial discord between the informant and her husband, the petitioners, who are the brothers of the husband, have been made accused in this case. They have been residing separately from the husband of the informant for a very long time.

It has also been urged on their behalf that the FIR was lodged after 39 days of the occurrence and the petitioners are in custody since 27.06.2022.

Regard being had to the aforementioned facts and the period of custody of the petitioners, they are directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Nawada in connection with Nawada Mahila P.S. Case No. 27 of 2020.

(Ashutosh Kumar, J)

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