

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39436 of 2021

Arising Out of PS. Case No.-6 Year-2019 Thana- HARLAKHI District- Madhubani

Sujit Mahto S/O- Shiv Chandra Mahto Resident Of Village- Rampur, P.S.- Harlakhi, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Guria Devi W/o Sanjit Mahto R/o Village- Rampur, P.S.- Harlakhi, District- Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary
For the Opposite Party/s : Mr. Mrityunjay Kumar Gautam

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 27-03-2023 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects, if any, within three weeks.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 323, 341, 376, 498A and 504/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Petitioner, who is Devar of the informant, is said to have ousted the opposite party no. 2 from her matrimonial home in association of his family members over dowry demand.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. He submits that the petitioner is Devar of the informant and the allegation of rape levelled against the petitioner has been found false during the course of investigation. He submits that the matter has been compromised between the parties. He submits that there is no specific overt act against the petitioner. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) 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 Harlakhi P.S. Case No. 06 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

devendra/-

(Anjani Kumar Sharan, J)

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