

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56585 of 2024

Arising Out of PS. Case No.-1609 Year-2023 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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1. Karu Mahto Son Of Late Bhattu Mahto R/V- Village- Salempur, P.S.- Pakribarawan, Distt.- Nawada (BIHAR)
 2. Kalawati Devi Wife Of Karu Mahto R/V- Village- Salempur, P.S.- Pakribarawan, Distt.- Nawada (BIHAR)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nibha Devi, Wife Of Sri Ram Prasad, R/V- R/V- Village- Salempur, P.S.- Pakribarawan, Distt.- Nawada, At Present D/O- Upendra Mahto, Resident Of Village- Bara, Izra P.S. Kawakol, Distt.- Nawada(Bihar) (mobile No. 8420421876)

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vibhuti Ranjan Sonvadra, Advocate
For the State	:	Mr. Ajay Kumar No. 2, APP
For the Complainant	:	Ms. Sarita Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioners and learned
APP for the State as well as learned counsel for the complainant.

2. In this present case, the petitioners are apprehending their arrest in connection with Complaint Case No. 1609 of 2023, registered for the offences under Sections 498(A), 379, 341, 323, 504, and 120(B) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. As per prosecution case, petitioners are the parents-in-law of the complainant and allegation against the petitioners



and other co-accused persons is that of demanding Rs. 2,00,000/- and torturing and driving the complainant from the house.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Petitioners have been living separately from the complainant and her husband and they have nothing to do with the daily activities of the complainant. The allegations are mostly general and omnibus and no specific overt act has been attributed against the petitioners. Only to harass the family of the petitioners, the complainant has made accused all the family members of the petitioners. The complainant does not want to live at her matrimonial place. The petitioners are having clean antecedent.

5. Learned APP as well as learned counsel for the complainant vehemently oppose the prayer for anticipatory bail. Learned counsel for the complainant submits that the petitioners and other co-accused persons have taken away the son of the complainant and have been demanding Rs. 2,00,000/-.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioners are parents-in-law and allegations are



general and non-specific against them and also considering the clean antecedent of the petitioners coupled with possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Nawada/concerned court in connection with Complaint Case No. 1609 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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