

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54574 of 2018

Arising Out of PS.Case No. -468 Year- 2018 Thana -BEGUSARAI COMPLAINT CASE District-
BEGUSARAI

- =====
1. Bishundev Shah, S/o Late Ramkhelawan Shah,
 2. Geeta Devi, W/o Bishundev Shah,
 3. Arun Kumar, S/o Bishundev Shah, All are R/o Vill.- Gadhara, P.S.-
Barauni, District- Begusarai.
 4. Bibha Devi, W/o Kikandar Shah, R/o Vill.- Beehat, P.S.- Barauni,
District- Begusarai.
 5. Kanchan Kumari @ Kanchan Devi, W/o Pappu Shah, R/o Vill.-
Chilmil, P.S.- Muffasil, District- Begusarai.

.... Petitioners

Versus

1. The State of Bihar.
2. Soni Kumari, W/o Amardeep Shah, R/o Gadhara, P.S.- Barauni,
District- Begusarai at present at Mohalla- Adarsh Nagar Ulao, P.S.-
Muffasil, District- Begusarai.

.... Opposite Parties

=====

Appearance :

For the Petitioners : Mr. Babita Kumari, Advocate.
For the State : Mr. Sanjay Kumar Singh, A.P.P.
For the O.P. No. 2 : M/S. Shubhesh Pandey, Suraj Kumar Singh,
Neeraj Kumar Painali and Nishi Kant,
Advocates.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-10-2018 Heard learned counsel for the petitioners, learned

A.P.P. for the State and learned counsel for the opposite party no.

2.

The petitioners are apprehending their arrest in a case

for the offence registered under Sections 498(A), 504, 506, 323,

341, 307/34 of the IPC and ¾ of the D.P. Act in which cognizance

has been taken under Sections 498(A) of the IPC and 4 of the D.



P. Act.

The prosecution story, in brief, is that the accused persons including the petitioners tortured the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case due to petty family dispute. The petitioners are in-laws of the victim. They are separate in mess and property from the husband of the victim. The case is triable by the Magistrate. The petitioners have further relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the learned counsels for the State and opposite party no. 2, it has been submitted that the petitioners are named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of



Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Begusarai, in connection with Begusarai Complaint Case No. 468 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

If so advised, either of the parties will be at liberty to make an application before the court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)

