

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10235 of 2018

Arising Out of PS.Case No. -196 Year- 2017 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

- =====
1. Munna Prasad, Son of Late Badhu Prasad,
 2. Most. Panmati Devi alias Panmati, Wife of late Badhu Prasad, Both are or resident of Village- Turkwaliya Sahabganj, Police Station- Sewrahi, District- Kushinagar (U.P.).

.... Petitioners

Versus

1. The State of Bihar.
2. Shashi Kala Devi alias Rabri Devi, Wife of Munna Prasad, Resident of Village- Turkwaliya Sahebganj, Police Station- Sewrahi, District- Kushinagar (U.P.) at present daughter of Rabindra Prasad, Resident of Village- Vijaypur, Police Station- Bishambharpur, District- Gopalganj.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Lokesh Kumar Singh, Advocate.

For the State : Mr. Binod Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-02-2018 Heard learned counsel for the petitioners, learned
counsel for opposite party no. 2 and learned A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 498(A), 406, 323 and 504/34 of the IPC.

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 husband and mother-in-law of the victim. It has further been submitted by learned counsel for the petitioners that the petitioner no. 1 is ready to pay an amount of Rs. 2,000/- (Rupees Two Thousand) per month to opposite party no. 2. 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. The offer made on behalf of petitioner no. 1 is acceptable to opposite party no. 2.

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 A.C.J.M.-X, Gopalganj, in connection with Complaint Case No. 196 of 2017,



Trial No. 1810 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The petitioner no. 1 shall deposit an amount of Rs. 2,000/-(Rupees Two Thousand) per month in the learned court below which shall be released in favour of opposite party no. 2. If petitioner no. 1 fails to do so, the learned court below is at liberty to cancel the bail bond of the petitioner no. 1.

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(Sudhir Singh, J)

