

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53499 of 2018

Arising Out of PS. Case No.-2345 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. Ashok Kumar Ray, Son of Late Shitaram Ray,
 2. Madhubala Devi, Wife of Ashok Kumar Ray, Both are resident of Village- Basathapur, P.S.- Tariyani, District- Shivhar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kumari Ravita, Wife of Abhimanyu Kumar, D/o Sambhu Parshad Yadav, Present address R/o Village- Bhit Dharwa, P.O.- Bakhri, P.S.- Patahi, District- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikram Jeet
For the Opposite Party/s : Mr. Sri Shailendra Kumar -2

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 25-10-2018 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for O.P. No. 2.

The petitioners are apprehending their arrest in a case registered under Section 498A of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioners is of committing torture upon the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners are father-in-law and mother-in-law respectively of the victim. They have falsely been implicated in the present case due to petty family



dispute. The case is triable by the Magistrate. The petitioners have 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 State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/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 learned S.D.J.M., Sadar, East Champaran at Motihari in connection with Trial No. 2109/2018 arising out of Complaint Case No. C-2345/2017, 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.

(Sudhir Singh, J)

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