

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36979 of 2019

Arising Out of PS. Case No.-71 Year-2018 Thana- MOHAMMADPUR District- Gopalganj

1. CHANDRAWATI DEVI Wife of Nag Narayan Singh Resident of Village - Budhashi, P.S.- Gopalganj, District- Gopalganj
2. Nag Narayan Singh Son of Late Ganesh Siingh Resident of Village - Budhashi, P.S.- Gopalganj, District- Gopalganj
3. Sangita Devi Wife of Abhimanyu Singh Resident of Village - Sendurkha, P.S.- Bashantpur, District- Siwan
4. Abhimanyu Singh @ Abhimanyu Kumar Son of Maya Singh Resident of Village - Sendurkha, P.S.- Bashantpur, District- Siwan
5. Ranjan Kumar Singh @ Ranjan Singh Son of Nag Narayan Singh Resident of Village - Budhashi, P.S.- Gopalganj, District- Gopalganj
6. Sunil Kumar Singh Son of Nag Narayan Singh Resident of Village - Budhashi, P.S.- Gopalganj, District- Gopalganj

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Reshmi Devi W/o Sunil Kumar Singh Resident of Village - Baikunthpur, P.S.- Baikunthpur, District- Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey
For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 15-11-2019 This application, for grant of anticipatory bail, arises out of Mohammadpur P.S. Case No. 71 of 2018, disclosing offences under Section 498A of the Indian Penal Code and Section 3 /4 of the Dowry Prohibition Act.

Petitioner nos. 1 to 5 are in laws of the informant and petitioner no. 6 is her husband and allegation against them is of subjecting the informant to cruelty and torture with respect to



demand of dowry.

Submission of learned counsel for the petitioners is that informant is not ready to reside with the petitioner rather she wants petitioner no. 6 – husband to reside with her in her maik and due to which, there is dispute between the parties and a step for conciliation between the parties has also been taken by the court below but that failed and the case was earlier sent to Mediation Center but the mediation between the parties also failed as she is adamant on her demand of Rs. Five Lakhs, whereas, the petitioner is ready to pay Rs. Two Lakhs. It has also been submitted that a maintenance case has also been filed by the informant and the said maintenance case is pending for evidence

Heard learned A.P.P. also. Nobody appears on behalf of the informant in spite of repeated calls.

Having heard both sides, considering the facts and circumstances of the case, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate



-I, Gopalganj, in connection with Mohammadpur P.S. Case No. 71 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure. This is further subject to condition that petitioner no. 6 – husband of informant has to appear in the maintenance case and abide by any order either interim or final passed by the Family Court unless the same is set aside or modified by any higher court.

At the same time, learned Principal Judge, Family Court is directed to expedite the Maintenance case filed by the informant and conclude the same within a period of six months.

Let a copy of this order be communicated to the Principal Judge, Family Court, Gopalganj.

(Vinod Kumar Sinha, J)

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