

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68227 of 2018

Arising Out of PS. Case No.-1075 Year-2017 Thana- BEGUSARAI
COMPLAINT CASE District- Begusarai

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1. Manoj Sah S/o Sagar Sah,
 2. Sunita Devi, S/o Manoj Sah, Both are R/o Village- Naula, P.S.- Bhagwanpur, Dist.- Begusarai.

... .. Petitioners

Versus

1. State Of Bihar
2. Puja Kumari, D/o Muni Lal Sah, R/o Vill- Asrafa Dira, P.S.- Ballia, District- Begusarai.

... .. Opposite Parties

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Appearance :

For the Petitioners : Mr. Shubhesh Pandey, Advocate.
For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 25-02-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 498(A) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act registered in connection with Complaint Case No. 1075C of 2017.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be the parents-in-law of the complainant. It is submitted that as a matter of fact it is the complainant who does not wish to reside with the son of the petitioners and no specific overt act has been attributed to the petitioners who are residing separately from their son and the complainant. The petitioners claim clean antecedents.

4. Despite valid service of notice on opposite party no. 2, appearance has not entered on her behalf nor she represented when the matter is called today.



5. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Begusarai in connection with Complaint Case No. 1075C of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors of each of the petitioners shall be their close relatives other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner no. 1 shall remain physically present and petitioner no. 2 shall be well represented in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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