

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82181 of 2019

Arising Out of PS. Case No.-860 Year-2019 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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1. Surendra Paswan Son of Late Sitaram Paswan Resident of Village - Madhuban, P.S.- Kalyanpur, District- Samastipur
 2. Girija Devi @ Girja Devi Wife of Surendra Paswan Resident of Village - Madhuban, P.S.- Kalyanpur, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rani Kumari D/O - Late Raj Kishore Paswan, Wife of Deepak Kumar Paswan Resident of Village - Madhuban, P.S.- Kalyanpur, District- Samastipur. Presently residing at Village - Majhaulia, P.S. - Sakra, District- Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar, Advocate
For the Opposite Party/s : Mr.Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in **Complaint Case No. 860 of 2019, Trial No. 3103 of 2019**, registered for the offence punishable under Section 498A of the Indian Penal Code and section 3/4 of the Dowry Prohibition Act.

It is submitted by learned counsel appearing on behalf of petitioners that petitioner no. 1 is father-in-law and petitioner no. 2 is mother-in-law. There is general and omnibus allegation against these petitioners. Petitioners have got no



concern with the family affairs of complainant and her husband. Moreover, husband of the complainant has already filed a matrimonial case bearing Matrimonial Case No. 117 of 2018 under Section 9 of the Hindu Marriage Act, 1955 for restitution of conjugal rights which is pending before the Principal Judge, Family Court and after notice of the aforesaid case, the complainant has filed the instant complaint petition on 04.04.2019.

Considering the facts aforesaid and the fact that petitioner are in-laws of the complainant, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned **Sub-Divisional Judicial Magistrate, (East) Muzaffarpur** in connection with **Complaint Case No. 860 of 2019, Trial No. 3103 of 2019**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by



the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, their bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Prabhat Kumar Singh, J)

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