

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81283 of 2019

Arising Out of PS. Case No.-15 Year-2019 Thana- MAHILA THANA District- Begusarai

1. Om Prakash, (Male), aged about 68 years, Son of Late Naresh Prasad, Resident of H-89, Kashi Enclave, Akatha Road, Varanashi, P.S.- Pahariya, District- Varanashi U.P. Presently residing at C/O Varun Deo Singh, Mohalla- Adarsh Nagar New Colony, Ulao, P.S.- Muffasil (Singhaul O.P.), District- Begusarai.
2. Indu Devi, (Female), aged about 61 years, Wife of Om Prakash, Resident of H-89, Kashi Enclave, Akatha Road, Varanashi, P.S.- Pahariya, District- Varanashi U.P. Presently residing at C/O Varun Deo Singh Mohalla- Adarsh Nagar New Colony, Ulao, P.S.- Muffasil (Singhaul O.P.), District- Begusarai.

... .. Petitioners

Versus

1. The State Of Bihar.
2. Sarita Kumari, Wife of Manish Kumar, D/O Ashok Kumar Rai, Resident of Chhoti Aeghu, P.s. Muffasil, District- Begusarai.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr.Deepak Kumar, Advocate.
For the State	:	Mr.Khurshid Anwar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 323, 341, 504,
498(A)/34 of the IPC and $\frac{3}{4}$ of the D. P. Act.

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 petitioner no.1 is the father-in-law and petitioner no. 2 is the mother-in-law of the victim. They are separate in mess and property from the husband of the victim. 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 counsel for the State, it has been submitted that the petitioners are named in the F.I.R/ complaint case.

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 S.D.J.M. Begusarai, in connection with Mahila P.S. Case No. 15/19, 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)

U.K./-

U		T	
---	--	---	--

