

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 7670 of 2020

Arising Out of PS. Case No.-814 Year-2019 Thana- COMPLAINT CASE District- Araria

1. SAJOGANI DEVI @ SANJOGANI DEVI Wife of Late Rama Shankar Ravidas Resident of Village - Bhagwanpur, Chitabari, Ward No. 03, P.S, and District - Katihar.
2. Manoj Ravidas @ Daroga @ Manoj Kumar Ravidas Son of Late Rama Shankar Ravidas Resident of Village - Bhagwanpur, Chitabari, Ward No. 03, P.S, and District - Katihar.
3. Lalan Ravidas @ Darun Son of Late Rama Shankar Ravidas Resident of Village - Bhagwanpur, Chitabari, Ward No. 03, P.S, and District - Katihar.
4. Baby Devi Wife of Manoj Ravidas @ Daroga Resident of Village - Bhagwanpur, Chitabari, Ward No. 03, P.S, and District - Katihar.
5. Puja Devi @ Pooja Devi Wife of Lalan Ravidas @ Darun Resident of Village - Bhagwanpur, Chitabari, Ward No. 03, P.S + District - Katihar.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Mala Devi Wife of Rohit Kumar Ravidas Resident of Village - Bhagwanpur, Chitabari, Ward No. 03, P.S + District - Katihar. At Present - Daughter of- Hira Lal Ram, Resident of Village - Haji Mohalla, Jogbani, Ward No. -08, P.S. - Jogbani, Dist. - Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Ramesh Kumar Singh, Advocate
For the Opposite Party/s : Mr Navin Kumar Pandey, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 16-07-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings with the



aid of audio visual technology.

Heard learned counsel for the petitioners and learned APP for the State.

Petitioners apprehend their arrest in connection with Complaint Case No 814C of 2019 dated 08.04.2019 instituted for the offence punishable under Section (s) 498A of Indian Penal Code and Section 4 of Dowry Prohibition Act.

The complainant has alleged attack on her life, torture and demand of dowry in the complaint petition starting from the first night after her marriage on 16.07.2018. The complaint has been lodged impleading all the in-laws.

Learned counsel for the petitioners submits that though allegations are referred from the very first night of the marriage, i e, 16.07.2018, the complaint has been lodged much thereafter in April, 2019. Petitioner No 1 is the mother-in-law. Petitioners No 2, 3 are brothers-in-law and petitioners No 4, 5 are sisters-in-law (Gotni) of the complainant. General and omnibus allegations have been levelled against all in-laws. The petitioners have no criminal antecedent. It is further submitted that the husband of the complainant had lodged a case for restitution of conjugal rights on 31.01.2019 vide Matrimonial Case No 63 of 2019, much prior to lodging of the complaint



case. It is submitted that the aforesaid circumstances are suggestive of the falsity of the allegations levelled against all the petitioners, who are in-laws.

The learned APP for the State has opposed the prayer. He has submitted that there is allegation against all the in-laws by the complainant.

In the facts and circumstances of the case, prayer of petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, before the Court below, within eight (08) weeks from today, they shall be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Araria in connection with Complaint Case No 814C of 2019 subject to the conditions as laid down under Section 438 (2) of Criminal Procedure Code and also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.



(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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