

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7563 of 2020

Arising Out of PS. Case No.-2293 Year-2018 Thana- SARAN COMPLAINT CASE District-
Saran

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1. DEVENDRA BHAKTA @ DEVENDRA BHAGAT @ DEVENDRA BHAKT S/o Late Parichhan Bhagat Resident of Village- Jalalpur Kothi, P.S.- Bheldi, Distt- Chapra (Saran), at present residing at Qr. No.26A, Street No.30, Area -5, p.o and p.s-Chitaranjan Bardhawan, West Bengal- 713331.
 2. Bhagmani Devi W/o Devendra Bhakata Resident of Village- Jalalpur Kothi, P.S.- Bheldi, Distt- Chapra (Saran), at present residing at Qr. No.26A, Street No.30, Area -5, P.O.and P.S.- Chitaranjan Bardhawan, West Bengal- 713331.

... .. Petitioners

Versus

1. The State of Bihar
2. Rajni Bhakta @ Rajni Devi @ Rajni Bhagat W/o Late Saroj Bhakta, D/o Laddulal Bhagat Resident of Avas Vikas Colony, Qr. No. L.I.G -453, P.O. and P.S. Rudrapur, Distt- Udham Singh Nagar, Uttarakhand.

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Abhay Kumar Singh, Advocate
For the O.P. No.2	:	Mr. Dewendra Narayan Singh, Advocate
For the State	:	Mr.Jagdhara Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioners,

learned counsel for the opposite party no. 2 and learned

Additional Public Prosecutor for the State.

Petitioners in the present case are father-in-law
and mother-in-law of the opposite party no. 2 who are
seeking anticipatory bail in connection with Complaint
Case No. 2293/2018, Trial No. 2819/2019 registered



under Sections 498(A) of the Indian Penal Code.

Learned counsel for the petitioners submits that these petitioners are the unfortunate parents who lost their son on 03.10.2017 and thereafter his widow – opposite party no. 2 started living with her parents at Udhamnagar. The petitioner no. 1 being an employee of Railway is living at Chitranjan in the State of West Bengal.

Opposite party no. 2 did not come to live with them and this fact would be evident from the statement made by opposite party no. 2 in paragraph '9' of the Maintenance Case No. 286/2018 filed in the court of learned Family Court, Janpad, Udhamnagar on 09.05.2018 in which she has made categorical statement that she was living with her parents since December, 2017. It is submitted that if it is the case of the complainant – opposite party no. 2 that she was living with her parents since December, 2017, now her statement that she was thrown out by these petitioners on 16.07.2018 is only a false and concocted story and further submission of learned counsel for the petitioners that it is



highly improbable that the petitioners who have lost their son would demand a Maruti Car as dowry after the death of their son and 11 years after the marriage.

In the aforesaid facts and circumstances of the case, let the above-named petitioners, in the event of their arrest/surrender before the court below within a period of four weeks, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Saran at Chapra, in connection with Complaint Case No. 2293/2018, Trial No. 2819/2019, subject to condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to



any police officer;

(iii) a condition that the person shall not leave
India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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