

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10868 of 2020

Arising Out of PS. Case No.-52 Year-2019 Thana- MAHILA P.S. District- Saran

1. GANESH RAI Son of Late Mathura Rai Resident of Village - Chainpur Chhattar Tola, P.S.- Garkha, District- Saran at Chapra
2. Shanti Devi Wife of Ganesh Rai Resident of Village - Chainpur Chhattar Tola, P.S.- Garkha, District- Saran at Chapra
3. Sanjay Rai Son of Ganesh Rai Resident of Village - Chainpur Chhattar Tola, P.S.- Garkha, District- Saran at Chapra
4. Gyanti Devi @ Abhiyanti Devi @ Amichanti Devi Wife of Sanjay Rai Resident of Village - Chainpur Chhattar Tola, P.S.- Garkha, District- Saran at Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishore Singh, Adv.
For the Opposite Party/s : Mr.Ram Bachan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 21-10-2020 Heard Mr. Nawal Kishore Singh, learned counsel for the petitioner and Mr. Ram Bachan Singh, Additional Public Prosecutor for the state through video conferencing.

2. Petitioners apprehend their arrest in connection with Mahila PS Case No. 52/2019 registered for the offence punishable under Sections 341, 323, 498(A)/34 IPC and $\frac{3}{4}$ of the Dowry Prohibition Act.

3. The allegation against the petitioners, as per FIR, is that marriage of the son of petitioners no.1 and 2 was solemnized with the informant in the year 2015 and



subsequently, the petitioners along with accused persons started demanding dowry and due to non fulfillment of the demand, the informant was tortured by the petitioners and other accused persons.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case along with husband of the informant and they have not committed any offence in the manner alleged.

5. Learned counsel further submits that husband of the informant, Ajay Rai preferred an application for anticipatory bail before this Court vide Cr. Misc. No. 16924/2020, in which, the co-accused, Ajay Rai i.e., son of petitioners no.1 and 2 has submitted that he is ready to keep his wife with due honour and dignity and for that purpose he is ready to engage in mediation proceeding with his wife.

6. The co-ordinate Bench of this Court, taking into consideration the submission made by the husband of the informant, has granted provisional bail to the husband of the informant vide order dated 10.07.2020.

7. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that husband of the informant has been granted



provisional bail by the co-ordinate Bench of this Court on the basis of submission that he is ready and willing to keep the informant with due honour, care and dignity as his wife, I am inclined to grant anticipatory bail to the petitioners.

8. Accordingly, petitioners, named above shall be released on anticipatory bail, in the event of their arrest or surrender within six weeks, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M, Saran at Chapra in connection with Mahila PS Case No. 52/2019, subject to the conditions as laid down under Section 438(2) CrPC.

9. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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