

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12062 of 2020

Arising Out of PS. Case No.-449 Year-2019 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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1. Chandra Kishore Singh Son of Late Ramashish Singh Resident of Village - Bhatauliya, P.S.- Belsand, Dist.- Sitamarhi.
 2. Rama Devi W/o Chandra Kishore Singh Resident of Village - Bhatauliya, P.S.- Belsand, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soni Devi W/o Niraj Kumar Singh Resident of Village - Bhatauliya, P.S.- Belsand, Dist.- Sitamarhi. at Present of Village Dumra, P.S.- Belsand, Dist.- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kaushlendra Kumar, Adv.
For the Opposite Party/s : Mr.Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 26-06-2020 Heard learned counsel for the petitioners and learned APP for the State, through video conferencing.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Complaint Case No. C1-449 of 2019, registered under sections 498A, 323, 504, 379 and 34 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

As per allegation in the complaint, it is stated by the complainant that she was married to the son of the petitioners wherein her father had given dowry as per his capacity. It is



further stated that soon after going to her sasural, the accused persons started to torture her on demand of a four wheeler vehicle. She was abused and beaten up. Her husband's sisters also tortured her and she was ultimately forced out of her house.

By order dated 08.07.2019 cognizance was taken against the petitioners and others under sections 498A and 34 of the Indian Penal Code.

It is submitted by learned counsel for the petitioners that petitioners happen to be the father-in-law and mother-in-law of the complainant. The marriage between the complainant and son of the petitioners had been solemnized in the year 2012. It is further submitted that as would be evident from the order-sheet of the learned Court below, one attempt for reconciliation was made between the husband and the wife. Though both appeared before the Court but they started quarrelling. It is further submitted on oral instructions that the anticipatory bail of the husband of the complainant has been rejected on 17.12.2019 vide A.B.P. No. 2374 of 2019. It is submitted that the petitioners have no criminal antecedent and have been falsely implicated in this case because of their relationship.

The application for bail is opposed by learned APP for the State.



Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the fact that the petitioners happen to be father-in-law and mother-in-law of the complainant and their son i.e. the husband of the complainant has also moved the Court for grant of bail, the Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of eight weeks from today and in the event of their arrest or surrender in connection with Complaint Case No. C1- 449 of 2019, they will be enlarged on bail on each of them furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sitamarhi subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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