

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13468 of 2020

Arising Out of PS. Case No.-135 Year-2019 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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1. SHANKAR PAL RAUT @ UMASHANKAR PAL S/o- Late Yadu Pal Raut Resident of Village- Gopalpur, P.S.- Kalyanpur, District- Samastipur.
 2. Tetri Devi W/o- Shankar Pal Raut @ Umashankar Pal Resident of Village- Gopalpur, P.S.- Kalyanpur, District- Samastipur.
 3. Parbin Pal Raut @ Pravin Pal S/o- Shankar Pal Raut @ Umashankar Pal Resident of Village- Gopalpur, P.S.- Kalyanpur, District- Samastipur.
 4. Pramod Pal Raut @ Pramod Pal S/o- Shankar Pal Raut @ Umashankar Pal Resident of Village- Gopalpur, P.S.- Kalyanpur, District- Samastipur.
 5. Dharmendra Pal Raut @ Dharmendra Pal S/o- Shankar Pal Raut @ Umashankar Pal Resident of Village- Gopalpur, P.S.- Kalyanpur, District- Samastipur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Priyanka Kumari W/o- Babaloo, D/o- Ramnarayan Raut R/v- Bhawanipur, P.S.- Sakari, District- Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-06-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

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

The petitioners are apprehending their arrest in a case



registered under Sections 323, 341, 379, 498(A), 504 and 34 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

Allegation against the petitioners is of committing torture upon the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of 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 father-in-law, petitioner no. 2 is mother-in-law and petitioner nos. 3, 4 and 5 are brothers-in-law of the victim. The case is triable by the Magistrate. The petitioners have 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 State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the facts and circumstances of the case and also the lockdown, 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 their personal bonds to the satisfaction of learned S.D.J.M.,
Madhubani in connection with C.R. Case No. 135/2019, subject
to the conditions as laid down under Section 438(2) of the
Cr.P.C.

Once the normalcy is restored, the petitioners shall
furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with
two sureties of the like amount each within a period of seven
weeks to the satisfaction of the Court concerned in connection
with the aforesaid case.

(Sudhir Singh, J)

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