

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21033 of 2020

Arising Out of PS. Case No.-1661 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. Raghunath Sahani Son of Jaldhari Sahani Resident of Village-Mahamada, Police Station-Mehsi, District-East Champaran.
 2. Urmila Devi Wife of Raghunath Sahani Resident of Village-Mahamada, Police Station-Mehsi, District-East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Kiran Devi Wife of Shailendra Sahani, daughter of Prahlad Sahani Resident of Village-Bhopatpur, Police Station-Kotwa, District-East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Advocate
For the Opposite Party/s : Mr.Arif, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 17-09-2020 At the outset, it is submitted by learned counsel for the petitioners that a typographical error has occurred in the paragraph no. 1 as also in the prayer portion on page 6 of the bail petition wherein the name of the Court has been wrongly typed instead of the correct 'Smt. Manjushree Kumari, Judicial Magistrate 1st Class, Motihari, East Champaran'.

The petitioner is permitted to remove this defect along with the other defects pointed out by the stamp reporter in stamp report dated 23.6.2020, within four weeks of normal functioning of the Court being restored.

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. C-1661 of 2019 registered for the offence punishable under sections 498A and other sections of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

As per allegation in the complaint, the complainant was married to the son of the petitioners herein in the year 2017. It is stated that a motorcycle and other gift items were given at the time of marriage. However, soon after marriage the accused persons including the petitioners herein started to torture the complainant and started making further demand of dowry. She was beaten up and inspite of the panchayati having taken place, they were not ready to abide by the undertaking given by them in the panchayati. It is stated that on discovering about a girl child, she was forced to abort. The accused persons also made an attempt to kill the complainant.

It is submitted by learned counsel for the petitioners that the allegation as levelled in the complaint are false and concocted. The main allegations is against the husband, who is not absconding and in fact has moved this Court for anticipatory



bail by filing an application on 11.8.2020 and has been given token no. 30643 of 2020. The petitioners are the old father-in-law and mother-in-law of the complainant.

The application for bail has been 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 husband of the complainant has already moved for 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 six weeks from today and in the event of their arrest or surrender in connection with Trial no. 2360 of 2020 arising out of Complaint Case no. C-1661 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 Smt. Manjushree Kumari, learned Judicial Magistrate 1st Class, Motihari, East Champaran subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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