

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No. 21721 of 2020

Arising Out of P.S. Case No.-18 Year-2019 Thana-Mahila District-Madhubani

- =====
1. Manoj Jha, son of Diwakar Jha
 2. Soni Jha @ Soni Kumari, daughter of Sudheer Jha
- Both resident of Village Lorika, P.S. Benipatti, District Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Alok Kumar Shahi
For the Opposite Party : Mr. Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 13-08-2020 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Mahila Police Station, Benipatti, Madhubani P.S. Case No. 18 of 2019, disclosing the offence punishable under Sections 341, 323, 498-A/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

Petitioner no. 1 is the uncle of the husband of the informant, whereas petitioner no. 2 is cousin of the informant's husband. There is allegation of demand of dowry and torture against the husband and his family members. It is alleged that



the informant's father had issued a cheque for a sum of Rs. 1,50,000/- in the name of petitioner no. 2. It has been specifically stated in paragraph-10 of the application that the allegation of transfer of money through cheque in favour of petitioner no. 2, as levelled in the FIR, is completely false. It has been further submitted that in similar circumstance, co-accused Rajesh Kumar Jha and Bibha Devi Jha have been allowed anticipatory bail by this Court by an order dated 11.12.2019, passed in Cr. Misc. No. 79376 of 2019.

Considering the aforesaid submission, in my opinion, a case for grant of anticipatory bail is made out. This application is allowed.

Let the petitioners, above-named, in the event of their arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each, to the satisfaction of the learned SDJM, Madhubani in Mahila Police Station, Benipatti, Madhubani P.S. Case No. 18 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/ Court, as the case



may be, as and when required and in the event of failure on their part to appear before the court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

It is also indicated that defects, if any, shall be removed within two months from today.

Since there is a lockdown, the Court has considered it appropriate to adopt following procedure for communication of the present order:-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of



the present order without compromising with the norms of social-distancing.

(Chakradhari Sharan Singh, J)

Rajesh/-

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