

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1580 of 2020**

Arising Out of PS. Case No.-659 Year-2018 Thana- MADHUBANI COMPLAINT CASE  
District- Madhubani

- 
1. AMAR KAMAT @ AMAR KAMARAT Son of Maharaj Kamat Resident of Village - Gaduli, P.S.- Kewati, District- Darbhanga
  2. Maharaj Kamat @ Maharaj Kamati Son of Late Ganga Ram Kamat Resident of Village - Gaduli, P.S.- Kewati, District- Darbhanga
  3. Kamati Devi @ Kanti Devi Wife of Maharaj Kamat @ Maharaj Kamati Resident of Village - Gaduli, P.S.- Kewati, District- Darbhanga
  4. Sarita Devi Wife of Amar Kamat @ Amar Kamarat Resident of Village - Gaduli, P.S.- Kewati, District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bachiya Devi Wife of Amar Kamat @ Amar Kamarat Resident of Village - Gaduli, P.S.- Kewati, District- Darbhanga. At present residing as D/O - Late Vishwanath Chaudhary, Resident of Village - Malangiya, P.O.- Bhowara, P.S.- Rahika, District- Madhubani

... .. Opposite Party/s

---

**Appearance :**

For the Petitioner/s : Mr.Subhash Kumar Jha  
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

---

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

5      19-06-2020                      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, 379, 498(A) and 494 of the



Indian Penal Code.

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 there is no allegation of tampering of witnesses alleged against the petitioners. On the earlier occasion also, the victim and her family members have instituted case for similar offence against the petitioners and their family members. The petitioners have falsely been implicated in the present case due to petty family dispute. The petitioner no. 1 is the husband. The petitioner nos. 2 and 3 are father-in-law and mother-in-law of the victim and petitioner no. 4 is alleged to be second wife of the petitioner no. 1. 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.

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 A.C.J.M., Madhubani in connection with C.R. No. 659 of 2018 corresponding to Tr. No. 733 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

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)**

Pankaj/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

