

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3954 of 2020

Arising Out of PS. Case No.-846 Year-2019 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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1. Nandlal Prajapatti, aged about 25 years, Gender-Male, Son of Rammurat Prajapatti, Resident of Village - Karbandiya, P.S.- Chaipur, Distt - Kaimur at Bhabua.
 2. Rajui Devi, aged about 58 years, Gender-Female, Wife of Rammurat Prajapatti, Resident of Village - Karbandiya, P.S.- Chaipur, Distt - Kaimur at Bhabua.

... .. Petitioners

Versus

1. The State of Bihar.
2. Neetu Devi, aged about 23 years, Gender-Female, W/o Nandlal Prajapatti, R/o village- Karbandiya, P.S.- Chainpur, District- Kaimur at Bhabua, at present Daughter of Paramhansh Prajapatti, R/o village- Karjawn, P.S.- Chainpur, District- Kaimur at Bhabua.

... .. Opposite Parties

Appearance :

For the Petitioners	:	Mr. Shyam Bihari Singh, Advocate.
For the State	:	Mr. Shyam Kumar Singh, A.P.P.
For the Informant	:	Mr. Ashok Kumar Garg, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

10 05-08-2021 Heard learned counsel for the petitioners, learned counsel for the opposite party no. 2 and learned A.P.P. for the State through Virtual mode.

The petitioners are apprehending their arrest in connection with Complaint Case No. 846 of 2019 for the offence registered under Section 498(A) of the I.P.C.

The prosecution story, in brief, is that the accused persons including the petitioners tortured the victim due to non-fulfilment of demand of dowry.



It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. They have falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioner no. 1 is the husband and petitioner no. 2 is the mother-in-law of the victim. The case is triable by the Magistrate. The petitioners have further 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 learned counsels for the State and the opposite party no. 2, it has been submitted that the petitioners are named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances of the case, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of the learned C.J.M., Kaimur at Bhabhua, in connection with Complaint Case No. 846 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall



furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) only each with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

If so advised, the petitioner no. 1 and the opposite party no. 2 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. In case, any such application is made by either of the parties, the court below shall refer the matter to the District Mediation Centre.

The opposite party no. 2 will be at liberty to make an application before the concerned Family Court for the purpose of maintenance, if so advised.

(Sudhir Singh, J)

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