

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34152 of 2021

Arising Out of PS. Case No.-10 Year-2020 Thana- MAHILA P.S. District- Lakhisarai

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1. SURAJ PASWAN @ SURAJ KUMAR S/O Krishna Paswan Resident of Village - Hushaina, P.S. - Ariary, District - Shekhpura, at present R/O Bhalota, P.S. - Jogata, District - Dhanbad.
 2. KRISHNA PASWAN Son of Kameshwar Paswan Resident of Village - Hushaina, P.S. - Ariary, District - Shekhpura, at present R/O Bhalota, P.S. - Jogata, District - Dhanbad.
 3. NIRMALA DEVI W/O Krishna Paswan Resident of Village - Hushaina, P.S. - Ariary, District - Shekhpura, at present R/O Bhalota, P.S. - Jogata, District - Dhanbad.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Damini Kumari W/O Suraj Paswan @ Suraj Kumar Resident of Santar Mohalla, Ward No. -13, P.S. and District - Lakhisarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajnish Chandra
For the Opposite Party/s : Mr. Md. Sakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-08-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the Office, within a period of four weeks after restoration of normalcy.

The petitioners are apprehending their arrest in a case registered under Section 498A of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioners is of committing



torture upon the victim due to non-fulfillment 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 husband, petitioner no. 2 is father-in-law, petitioner no. 3 is mother-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 aforesaid facts and circumstances and also the lockdown, the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bonds to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai Mahila P.S. Case No. 10/2020, 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) 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, 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.

(Sudhir Singh, J)

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