

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26831 of 2020

Arising Out of PS. Case No.-24 Year-2019 Thana- MAHILA P.S. District- Lakhisarai

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1. LILA DEVI W/o Late Ganesh Saw Resident of Village-Lahari Tola @ Ranglal Tola, P.S.-Mokama, District-Patna.
 2. Janki Devi W/o Shankar Saw Resident of Village-Lahari Tola @ Ranglal Tola, P.S.-Mokama, District-Patna.
 3. Chhotu Kumar S/o Late Ganesh Saw Resident of Village-Lahari Tola @ Ranglal Tola, P.S.-Mokama, District-Patna.

... .. Petitioners

Versus

1. THE STATE OF BIHAR
2. Khushbu Kumari W/o Vikky Saw Thathera D/o Prakash Saw Resident of Village-Baullipur Suryapura, P.S.-Suryagraha, District-Lakhisarai.

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Raj Kumar, Advocate
For the Opposite Party/s	:	Mr. Akhileshwar Dayal, A.P.P.
For the Informant	:	Mr. Sanjay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 01-02-2021 Heard learned counsel for the petitioners, learned counsel for the informant-O.P. No.2 and Mr. Akhileshwar Dayal, learned A.P.P. for the State.

The petitioners, in the present case, are seeking pre-arrest bail in connection with Lakhisarai Mahila P.S. Case No. 24 of 2019 registered for the offence under Sections 498(A)/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that the petitioners who are in-laws of the informant-O.P. No.2 are alleged to be involved in torturing her due to non-fulfillment of demand of dowry.



Learned counsel submits that husband of the informant-O.P. No. 2 has been granted provisional bail by learned co-ordinate Bench of this Court and the petitioners have no concern with affairs of informant-O.P. No. 2 and her husband.

Learned A.P.P. for the State as well as learned counsel representing informant-O.P. No. 2 have opposed the prayer for anticipatory bail of the petitioners but have not controverted the submission of learned counsel for the petitioner that the husband of the informant-O.P. No.2 has been granted provisional bail.

Having regard to the facts and circumstances of the case, wherein it appears from the submissions of the learned counsel for the petitioners and learned counsel for O.P. No. 2 that the husband of O.P. No. 2 has been granted provisional bail by a learned co-ordinate Bench of this Court, and the submission is that these petitioners are in-laws and there is no specific allegation against them, there is no serious opposition against these petitioners, let the petitioners above named be released on bail in the event of their arrest or surrender within a period of four weeks from today on furnishing of bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Lakhisarai in connection with Lakhisarai Mahila P.S. Case No. 24 of 2019 subject to the condition as laid down under Section 438 (2) Cr.P.C. as under :

(i) a condition that the person shall make himself available



for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

And further condition that the court below shall verify the criminal antecedents of these petitioners and in case at any stage it is found that they have concealed their criminal antecedent, the court below shall take step for cancellation of their bail bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands disposed of.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

