

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39842 of 2020

Arising out of PS. Case No.-2741 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Subodh Kumar Singh aged about 60 years, Male, S/o Late Bhimraj Singh
R/o village- Shorangpur, P.S.- Janipur, District- Patna
 2. Saroja Devi @ Saroj Devi aged about 55 years, Female, W/o Subodh Kumar
Singh R/o village- Shorangpur, P.S.- Janipur, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khusboo Devi D/o Surendra Verma, W/o Santosh Kumar @ Mukesh Kumar
Resident of Bodhachak (Bochachak), P.S.- Phulwarisharif, District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL ORDER

2 22-10-2021 The matter has been heard *via* video conferencing due
to circumstances prevailing on account of the COVID-19
pandemic.

Heard learned counsel for the petitioners and the
learned APP for the State.

The petitioners apprehend arrest in connection with
Complaint Case No. 2741 (C) of 2018 for the offence
punishable under Section 498A of the Indian Penal Code and
Section 4 of the Dowry Prohibition Act, 1961.

Petitioners no. 1 and 2 are father-in-law and mother-
in-law of opposite party no. 2. Opposite party no. 2 was married



to the son of the petitioners on 20.04.2016 in accordance with Hindu rites and customs. From perusal of the papers, it is evident that petitioners are living separately from the opposite party no. 2 and her husband for the last many years whereas opposite party no. 2 filed a complaint under Section 498A IPC and Section 4 of Dowry Prohibition Act on the score that the petitioners were demanding motorcycle and Rs. 50,000/- and in not fulfilling the demand of the petitioners, petitioners are harassing opposite party no. 2 who is a wife of one Santosh Kumar @ Mukesh Kumar who is stated to have left her matrimonial house due to cruelty.

In the light of the fact that petitioners and opposite party no. 2 and her husband Santosh Kumar @ Mukesh Kumar were residing independently and they were not living with the petitioners and that apart petitioners are aged about 60 years and 55 years respectively, hence, the petitioners have made out a case for the grant of anticipatory bail.

Considering the facts and circumstances of the case, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the



Sub-divisional Judicial Magistrate, Patna in Complaint Case No. 2741(C) of 2018 (Tr. No. 7122 of 2018), subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 and further subject to the condition (i) that one of the bailors shall be a close relative of the petitioners, (ii) that the petitioners shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of their bail bonds.

The application stands disposed off in the aforementioned terms.

The State as well as second respondent counsel is directed to file objections.

Further, learned counsel for the petitioners is hereby directed to remove the defects pointed out by the Office.

(P. B. Bajanthri, J)

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