

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46237 of 2021

Arising Out of PS. Case No.-266 Year-2021 Thana- DARIYAPUR District- Saran

1. ADALAT RAI S/o BAIJNATH RAI R/o VILLAGE-SAMANCHAK, P.O-BAJAHYIA, P.S-DARIYAPUR, DISTRICT-SARAN.
2. SUDAMIYA DEVI W/o ADALAT RAI R/o VILLAGE-SAMANCHAK, P.O-BAJAHYIA, P.S-DARIYAPUR, DISTRICT-SARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Shekhar Tiwary

For the Opposite Party/s : Mr.Anant Kumar I

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-09-2021 Heard learned counsel for the petitioners and the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks after restoration of normalcy.

The petitioners are apprehending their arrest in Dariyapur P.S. Case No. 266 of 2021 registered under Sections 341, 323, 498(A), 504/34 of the Indian Penal Code and Section- 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 Nos. 1 and 2 are father-in-law and mother-in-law of the informant respectively. The offences are 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 of the case, let 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 bond to the satisfaction of learned Additional Sessions Judge-XI, Saran in connection with Dariyapur P.S. Case No. 266 of 2021, 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) 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.

(Sudhir Singh, J)

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