

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.6183 of 2021**

Arising Out of PS. Case No.-557 Year-2019 Thana- NATHNAGAR District- Bhagalpur

Radha Devi Wife Of Ganesh Prasad Yadav Resident Of Village - Bhatoria,
P.S. - Madhusudanpur, District- Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 17-12-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Akhileshwar Dayal, learned APP for the State.

The petitioner in the present case is seeking pre-arrest bail in connection with Nath Nagar (Madhusudanpur) P.S. Case No. 557 of 2019 registered for the offences punishable under Sections 376, 511 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

Learned counsel for the petitioner submits that as per the prosecution story, the informant's daughter and Shyamkaran Yadav was having a love affair and their marriage was decided by both the sides between 25.09.2019 and 25.10.2019 but the



boy along with his family members denied the marriage and they have absconded by taking dowry of Rs.3 lakhs.

Learned counsel submits that the petitioner is the mother of the boy with whom the marriage was fixed but later on the said negotiation failed. It is submitted that so far as this petitioner is concerned, she has been falsely implicated in this case. It is also submitted that a compromise has been entered into between the parties.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this petitioner is said to be the mother of the boy with whom the marriage to the informant was allegedly fixed but later on the said negotiation failed, the submission being that so far as this petitioner is concerned, she has been falsely implicated in this case and further that the parties have entered into a compromise vide Annexure '3' to the present application, this Court directs that the petitioner above named in the event of her arrest or surrender within four weeks from today be released on bail on furnishing of bail bond of Rs.25,000/- (Rupees Twenty Five Thousand/-) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st Bhagalpur in



connection with Nath Nagar (Madhusudanpur) P.S. Case No. 557 of 2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

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

The application stands allowed.

(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'.

