

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11834 of 2021

Arising Out of PS. Case No.-1991 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. Smita Singhania @ Smita Singhaniya, aged about 39 years (Female), W/O Vikas Singhania, R/O Mohalla- Gilanpada, P.S.- Dumka, District- Dumka, Jharkhand.
 2. Asha Devi Jagnani @ Asha Jagnani, aged about 65 years (Female), W/O Uma Shankar Jagnani, R/O Mohalla- Ward No. 14, Addi Bangla Road, P.S.- Tilaiya, District- Kodarma, Jharkhand.
 3. Uma Shankar Jagnani, aged about 64 years (Male), S/O Jivan Lal Jagnani, R/O Mohalla- Ward No. 14, Addi Bangla Road, P.S.- Tilaiya, District- Kodarma, Jharkhand.

... .. Petitioners

Versus

1. The State of Bihar.
2. Soni Jagnani, D/O Binod Kumar Modi, Resident of Lohar Patti, Ward No. 6, P.S.- Nagar, Motihari, District- East Champaran.

... .. Opposite Parties

Appearance :

For the Petitioners	:	Mr. Sanjeev Ranjan, Advocate.
For the State	:	Mr. A.G.
For the O.P. No. 2	:	Mr. Dhananjay Kumar No. 2, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-07-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

 Heard learned counsel for the petitioners, learned counsel for the opposite party no. 2 and learned A.P.P. for the State through Virtual mode.



The petitioners are apprehending their arrest in a case for the offence registered under Sections 498(A) and 34 of the I.P.C.

The prosecution story, in brief, is that the accused persons including the petitioners tortured the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The petitioner no. 1 is the married sister-in-law, petitioner no. 2 is the mother-in-law and petitioner no. 3 is the father-in-law of the victim. The case is triable by the Magistrate. The petitioners have further 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 learned counsels for the State and the opposite party no. 2, it has been submitted that the petitioners are named in the F.I.R/ complaint case. Learned counsel for the opposite party no. 2 submits that the matter has been reconciled between the parties.



Considering the aforesaid facts and circumstances of the case, let the petitioners above named, in the event of arrest or 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 the learned C.J.M. East Champaran, in connection with Complaint Case No. C-1991/2019, 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) only 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.

(Sudhir Singh, J)

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