

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31108 of 2021

Arising Out of PS. Case No.-37 Year-2020 Thana- MAHILA PS District- Jehanabad

1. Mahendra Prasad S/O Late Ramchandra Prasad R/O Village-Harhar, P.S.-KAKO In The District Of Jehanabad
2. Geeta Devi W/O Mahendra Prasad R/O Village-Harhar, P.S.-KAKO In The District Of Jehanabad
3. Rinku Devi @ Rinku Kumari D/O Mahendra Prasad R/O Village-Harhar, P.S.-KAKO In The District Of Jehanabad
4. Rakesh Kumar S/O Mahendra Prasad R/O Village-Harhar, P.S.-KAKO In The District Of Jehanabad

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-06-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 323, 341,
498(A), 313, 506/34 of the Indian Penal Code and Section 3/4
of Dowry Prohibition Act, 1961.

According to prosecution case, the informant Anshu
Kumari has filed awritten application to the S.H.O. Jehanabad



Mahila police station alleging therein that she was married with Deepak Kumar in May, 2019 and after marriage she went to her sasural and lived happily and got Pregnant but in December, 2019 Deepak Kumar husband, Mahendra Prasad father-in-law, Geeta Devi mother-in-law, Rinku Devi sister-in-law and Rakesh Kumar brother-in-law harassed her and told to bring one lac and twenty five thousand and golden chain and demanded dowry and they have all assaulted her.

Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that petitioner no.1 is father-in-law of the informant, petitioner no.2 is mother-in-law of the informant, petitioner no.3 is married sister-in-law of the informant and petitioner no.4 is brother-in-law (Bhaisur) of the informant. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against all the accused persons including this petitioners and there is no specific allegation of overt-act against this petitioners.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of his arrest or



surrender within a period of four weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Jehanabad Mahila P.S. Case No. 37 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:-

1. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail



bond of the petitioners. 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.

(Rajesh Kumar Verma, J)

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