

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23022 of 2022

Arising Out of PS. Case No.-125 Year-2021 Thana- SANJHOLI District- Rohtas

1. RAJU KUMAR SINGH @ RAJU SINGH @ RAJU KUMAR Son of Ram Niwas Singh Resident of Village - Sikthi, Police Station - Sanjhauli, District - Rohtas.
2. SHEORAJI DEVI Wife of Ram Niwas Singh Resident of Village - Sikthi, Police Station - Sanjhauli, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Siddhartha Kumar Singh, Advocate
For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-05-2022 Heard learned counsel for the petitioners and
learned APP for 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.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 307, 498(A) and 34 of the Indian Penal Code.

Allegation against the petitioners is of committing torture and assault upon the victim due to non-fulfilment 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. Petitioner no. 1 is brother-in-law and petitioner no. 2 is mother-in-law, of the victim. The nature of injury is said to simple. Hence, no offence under Section 307 IPC is made out. Rest of the offences are triable by Magistrate. Petitioner no. 2 is a lady. 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, 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 furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-Bikramganj, Rohtas in connection with Sanjhauli P.S. Case No. 125 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



The petitioners are directed to co-operate during the trial. If the petitioners do not co-operate during the trial, the Court below will be at liberty to cancel the bail bonds of the petitioners.

If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

(Sudhir Singh, J)

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