

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43883 of 2022

Arising Out of PS. Case No.-217 Year-2022 Thana- DARBHANGA SADAR District-
Darbhanga

-
-
1. HARI SHANKAR MISHRA Son of late Bhubnenhwar Mishra Resident of Village - Dhoi Ghat, P.s.- Sadar (Darbhanga), Distt.- Darbhanga.
 2. MANDODARI DEVI @ VIDHOTTMA MISHRA W/O HARI SHANKAR MISHRA Resident of Village - Dhoi Ghat, P.s.- Sadar (Darbhanga), Distt.- Darbhanga.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Dolly Kumari W/o Rishi Kant Mishra , D/o Pawan Kumar Bhatta, Resident of Village - Dhoi Ghat, P.s.- Sadar (Darbhanga), Distt.- Darbhanga. At present D/o Pawan Kumar Bhatta, Resident of Village - Lokahi Atari, P.s.- Lokahi, Distt.- Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-11-2022 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offence under Sections 341, 342, 324, 326, 307, 506, 498A and 34 of the Indian Penal Code.

The daughter of the informant is subjected to assault and torture on account of non-fulfillment of demand of dowry by the petitioner and others. She is tried to set her on fire by her husband resultantly she sustained burnt injury.

Learned counsel appearing for the petitioners submits



that the petitioners, who are of clean antecedent, are innocent and have falsely been implicated in this case. In fact, the petitioners happen to be father-in-law and mother-in-law of the informant and they have never demanded any dowry nor they have assaulted the deceased in any manner. He further submits that there is general and omnibus allegation against the petitioners and no specific allegation of any overt act is attributed to them. He further submits that the husband of the informant thrown the burning match stick on the informant and husband of the informant has already been granted the privilege of anticipatory bail by the court below itself on 02.11.2022 in A.B.P. No. 1353 of 2022 and the case of the these petitioners stands on better footing. Hence, the petitioners may be granted the privilege of anticipatory bail.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the, above named, petitioners in the event of arrest of surrender before the court below within a period of four weeks from the date of order be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Darbhanga Sadar P.S. Case No. 217 of 2022, subject to the conditions laid down under Section 438(2)



of the Cr.P.C. as also with 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 canceled 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.

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)

brajesh/-

U		T	
---	--	---	--

