

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58539 of 2021

Arising Out of PS. Case No.-74 Year-2021 Thana- TISIAUTA District- Vaishali

1. Ragho Ram, Son of Ramdeo Ram, Resident of Village - Jahangir Pur Solkhanni, P.S.- Mahua, Dist.- Vaishali
2. Praveen Ram @ Parveendar Ram, Son of Ragho Ram, Resident of Village - Jahangir Pur Solkhanni, P.S.- Mahua, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sabal Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 01-06-2022 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners are apprehending their arrest in connection with Tisiotta P.S. Case No.74 of 2021 registered for the offence punishable under Sections 498A/34 of the Indian Penal Code and Section 3/4 of the D.P. Act.

Petitioner No.1 is the father-in-law and Petitioner No.2 is *Devar*.

Informant has alleged that for non-fulfilment of demand of dowry, the informant was driven away from in-laws' house in May, 2021. On 05th of June, 2021, when she was taken back to her in-laws' house by her family members,



she along with all the family members were indiscriminately assaulted and attempt to disrobe and outrage her modesty has also been made by the husband's family, including the instant petitioners.

Specific allegation of assault is levelled against Petitioner No.1 as well as Petitioner No.2.

The petitioners' counsel submits that the informant has meticulously made specific allegations of assault against the accused persons, including the petitioners only with an intention to make the offence look grave. The allegations are not supported or sustained by any injury report and finding in this regard. Petitioner No.1 and Petitioner No.2 have actually no concern with the affairs of the informant and her husband and have falsely been implicated in this case.

Learned APP has opposed the prayer for pre-arrest bail by submitting that the specific allegation of assault is against the instant petitioners.

Considering the rival submissions, the nature of allegation, which is not supported by any injury report as also the clean antecedents of the petitioners and their relationship of being father-in-law and brother-in-law, this Court is inclined to allow petitioners' prayer for grant of



anticipatory bail.

Accordingly, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on 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 Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Tisiotta P.S. Case No.74 of 2021, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

(i) That one of the bailors of each of the petitioners will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners concerned. The bailors will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

This Court would expect that the petitioners' counsel would honour his undertaking in the instant proceedings



regarding supply of the requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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