

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56693 of 2022

Arising Out of PS. Case No.-45 Year-2022 Thana- PARASI District- Jehanabad

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1. RAMJEE SINGH S/O LATE RAM KAILASH SINGH
 2. MEENA DEVI @ MEENA SINGH W/O RAMJEE SINGH
Both Resident of Village- Bahadurpur, P.S. Parasi, District- Jehanabad. At present residing at M.I.G. Jr. A-34, M.P. Housing Board Colony, Pachkhora, P.S.- Singrauli, District- Singrauli (M.P.).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Advocate
For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-12-2022 Learned counsel for the petitioners is permitted to remove the defect (s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Section 498(A) of IPC.

The prosecution case, in short, is that the allegation against the petitioners is of committing torture upon the victim due to non-fulfillment of demand of dowry.



Learned counsel for the petitioner submits that the petitioners have clean antecedent. They have falsely been implicated in the present case. Further submits that in fact the petitioner No.1 is father-in-law and petitioner No.2 is mother-in-law of the informant and they are living separately prior to the marriage of the informant. Further submits that it appears from the FIR that there is general and omnibus allegation against all the accused persons including the petitioners and they have falsely been implicated in the present case on the ground that because they are father-in-law and mother-in-law of the informant.

Learned counsel for the informant has vehemently opposed the prayer for anticipatory bail of the petitioners and submits that there is direct allegation of demand of dowry against the petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand)each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Parasi



P.S. Case No. 45 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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 bonds 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.

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 antecedents, 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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