

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22248 of 2023

Arising Out of PS. Case No.-589 Year-2022 Thana- MALSALAMI District- Patna

1. Suresh Prasad Yadav Son Of Viswanath Prasad Yadav R/O East Nand Gola, P.S.- Malsalami, Patna 800009
2. Lalita Devi Wife Of Suresh Prasad Yadav R/O East Nandgola, P.S.- Malsalami, Patna 800009

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pankaj, Advocate
For the Opposite Party/s	:	Mr. Sunil Kumar Pandey, APP
For the Informant	:	Mr. Jagjeet Raushan, Adv. Mr. Amit Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioners and learned
APP for the State.

Counsel for the petitioners is permitted to make
necessary correction as para 3 of the petition in course of the
day.

The petitioners are apprehending their arrest in a case
registered under Sections 341, 323, 354, 380, 452, 427, 504 &
34 of the Indian Penal Code.

Allegation against the petitioners is of committing
torture upon the victim due to non-fulfillment of demand of
dowry.

It has been submitted on behalf of the petitioners that



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. The petitioner No. 1 is husband of the complainant whereas the petitioner No. 2 is second wife of petitioner No.1. The case is triable by the Magistrate. 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 is 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 the Court below/concerned Court in connection with Malsalami P.S. Case No. 589 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The petitioners is 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. In case, any such application is made by either of the parties, the Court below shall refer the matter to the District Mediation Centre.

(Sudhir Singh, J)

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