

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23145 of 2023

Arising Out of PS. Case No.-1374 Year-2019 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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1. Umrawati Devi, Wife Of Rajkishor Chaudhary, R/O Village- Sawreji, P.S.- Mirganj, District- Gopalganj.
 2. Guddu Chaudhary, Son Of Rajkishor Chaudhary, R/O Village- Sawreji, P.S.- Mirganj, District- Gopalganj.

... .. Petitioners

Versus

1. The State of Bihar
2. Vedanti Devi, Wife Of Rajesh Chaudhari, R/O Village- Sawreji, P.S.- Mirganj, District- Gopalganj At Present Address- Daughter Of Devdari Yadav @ Bindeshwari Yadav, R/O Village- Ujranarayanpur, P.S.- Uchkagaon, District- Gopalganj.

... .. Opposite Parties

Appearance :

For the Petitioners : M/S. Pankaj Kumar Dubey and Sumit Kumar,
Advocates

For the State : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

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

The petitioners are apprehending their arrest in a case
for the offence registered under Section 498(A) of the I.P.C.

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

It has been submitted by learned counsel for the
petitioners that the petitioners have got no criminal antecedent.
There is no allegation of tampering with the 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 the siter-in-law (Gotani) and petitioner no. 2 is the nephew (Bhatija) of the victim. The case is triable by the Magistrate. The petitioners have further 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 learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest or 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned court below/concerned court, in connection with Trial No. 2289 of 2022, arising out of Complaint Case No. 1374 of 2019, 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. 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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