

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23720 of 2023

Arising Out of PS. Case No.-94 Year-2022 Thana- BASOPATTI District- Madhubani

1. Anita Devi, Sex-F, age about 48 years, Wife of Raja Ram Thakur, Resident of Village - Patauna, P.S. - Basopatti, Distt. - Madhubani.
2. Arti Devi @ Arti Kumari, Sex-F, age about 22 years, D/O Raja Ram Thakur, Resident of Village - Patauna, P.S. - Basopatti, Distt. - Madhubani.
3. Neetu Kumari, Sex-F, age about 19 years, D/O Raja Ram Thakur, Resident of Village - Patauna, P.S. - Basopatti, Distt. - Madhubani.
4. Mohan Sharma @ Hari Mohan Kumar, Sex-M, age about 24 years, Son of Madhu Thakur, Resident of Village - Patauna, P.S. - Basopatti, Distt. - Madhubani.
5. Lalit Sharma @ Lalit Kumar, Sex-M, age about 28 years, Son of Madhu Thakur, Resident of Village - Patauna, P.S. - Basopatti, Distt. - Madhubani.

... .. Petitioners

Versus

1. The State of Bihar.
2. Rani Devi, Sex-F, age about 22 years, Wife of Dipak Sharma, Resident of Village - Patauna, P.S. - Basopatti, Distt. - Madhubani.

... .. Opposite Parties

Appearance :

For the Petitioners	:	Mr. Bhavesh Kumar Sah, Advocate.
For the State	:	Mr. Mukesh Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-06-2023 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 Sections 323, 341, 379, 354(B),
308, 498(A), 504/34 of the I.P.C. and Section 3/4 of the D.P. Act.

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. The petitioner no. 1 is the mother-in-law, petitioner nos. 2 and 3 are the sisters-in-law, petitioner nos. 4 and 5 are the neighbours of the husband of the victim. There is no medical examination report in respect of offence under Section 308 of the I.P.C. Except for offence under Section 308 of the I.P.C., all offences are 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 Basopatti P.S. Case No. 94 of 2022, 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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