

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25695 of 2023

Arising Out of PS. Case No.-600 Year-2020 Thana- RUNISAIDPUR District- Sitamarhi

1. Shambhu Nath Jha S/O- Shila Kant Jha Resident Of Village Yajuaar Pachiyari Tola Ps Katra District Muzaffarpur
2. Meena Devi Wife Of Shambhu Nath Jha Resident Of Village Yajuaar Pachiyari Tola Ps Katra District Muzaffarpur
3. Binit Kumar Jha Son Of Shambhu Nath Jha Resident Of Village Yajuaar Pachiyari Tola Ps Katra District Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunita Kumari Wife Of Ramit Kumar Jha Resident Of Village Yajuaar Pachiyari Tola Ps Katra District Muzaffarpur Presently Village- Kharka Rain Sankartola Ps- Runnisaidpur Dist- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amish Kumar, Advocate
For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-06-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 498A, 341, 323, 34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

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

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no



allegation of tampering of witnesses alleged against the petitioners. The petitioner No. 1 is father-in-law, petitioner No. 2 is mother-in-law and petitioner No. 3 is brother-in-law, of the victim. They have falsely been implicated in the present case due to petty family dispute. 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 are 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 Court below/concerned Court in connection with Runni Saidpur P.S. case No. 600 of 2020, 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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