

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22981 of 2023

Arising Out of PS. Case No.-181 Year-2022 Thana- LAKHNAUR District- Madhubani

1. Pramila Devi, Wife Of Naulakhi Sahu, Resident Of Village-Gosai Tola, Police Station-Rajnagar, District-Madhubani.
2. Naulakhi Sahu, Son Of Not Known, Resident Of Village-Gosai Tola, Police Station-Rajnagar, District-Madhubani.

... .. Petitioners

Versus

1. The State of Bihar.
2. NISHA KUMARI, Wife of Santosh Sahu, Resident of village-Gosai Tola, P.O. Kebalpatti, Police Station-Rajnagar, District-Madhubani. A/P Resident of Village-Deep, Police Station-Lakhnaur (R.S.O.P.), District-Madhubani.

... .. Opposite Parties

Appearance :

For the Petitioner : Mr. Md. Soban Asghar, Advocate
For the State : Mr. Arun Kumar, 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 Sections 341, 323, 498(A), 504,
506/34 of the I.P.C. and $\frac{3}{4}$ 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 due to petty family dispute. The petitioner no. 1 is the mother-in-law and petitioner no. 2 is the father-in-law 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 Lakhnaur (R.S.O.P.) P.S. Case No. 181 of 2022, corresponding to G.R. No. 1451 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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