

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25363 of 2023

Arising Out of PS. Case No.-45 Year-2022 Thana- MAHILA PS District- Jehanabad

1. Santosh Kumar Son Of Krishna Prasad Resident Of Village- Auliya Chak, Ps- Kako, Distt- Jehanabad, At Present Muhalla- Kurthaul, Ps- Parsa Bazar, Distt- Patna
2. Lalan Kumar Son Of Sri Krishan Prasad Resident Of Village- Auliya Chak, Ps- Kako, Distt- Jehanabad, At Present Muhalla- Kurthaul, Ps- Parsa Bazar, Distt- Patna
3. Krishna Prasad Son Of Late Ram Chandra Yadav Resident Of Village- Auliya Chak, Ps- Kako, Distt- Jehanabad, At Present Muhalla- Kurthaul, Ps- Parsa Bazar, Distt- Patna
4. Kusum Devi Wife Of Sri Krishna Prasad Resident Of Village- Auliya Chak, Ps- Kako, Distt- Jehanabad, At Present Muhalla- Kurthaul, Ps- Parsa Bazar, Distt- Patna
5. Shila Devi Wife Of Lalan Kumar Resident Of Village- Auliya Chak, Ps- Kako, Distt- Jehanabad, At Present Muhalla- Kurthaul, Ps- Parsa Bazar, Distt- Patna
6. Vibha Devi @ Vibha Kumari Wife Of Santosh Kumar Resident Of Village- Auliya Chak, Ps- Kako, Distt- Jehanabad, At Present Muhalla- Kurthaul, Ps- Parsa Bazar, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr. Sunil Kumar Pandey, APP
For the Informant	:	Mr. Sunil Kumar & Mrs. Supriya Kumari, Advocates

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioners are apprehending their arrest in a case
registered under Section 498A/34 of the Indian Penal Code.

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 Nos. 1 and 2 are devar, petitioner Nos. 3 is father-in-law, petitioner No. 4 is mother-in-law and petitioner Nos. 5 and 6 are gotni(s), 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 and the informant, 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 Jehanabad (Mahila)
P.S. case No. 45/2022, 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)

Pankaj/Nitin

U		T	
---	--	---	--

