

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25370 of 2023

Arising Out of PS. Case No.-117 Year-2022 Thana- AMDABAD District- Katihar

1. Nageshwar Mandal @ Ganga Ram Mandal Son Of Late Dhamu Mandal Resident Of Village- Balarampur, Ps- Amdabad, Distt- Kaithar
2. Mamta Devi Wife Of Ram Bilash Mandal Resident Of Village- Balarampur, Ps- Amdabad, Distt- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate

For the Opposite Party/s : 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
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 323, 341, 379, 498A, 504, 506, 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 there is no allegation of tampering of witnesses alleged against the petitioners. The petitioner No. 1 is co-villager and petitioner No. 2 are mother-in-law, of the victim. They have falsely been



implicated in the present case. 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 Amdabad P.S. case No. 117/2022, 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

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