

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26653 of 2023

Arising Out of PS. Case No.-1000 Year-2022 Thana- AGAMKUAN District- Patna

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1. Kaushalya Devi Wife Of Prabhunand Singh Resident of village - Shanti Niketan Colony, Near Hari Medical, Bhutnath Road, P.S. - Agamkuan, Distt. - Patna
 2. Prabhunand Singh Son of Late Bhagwat Prasad Singh Resident of village - Shanti Niketan Colony, Near Hari Medical, Bhutnath Road, P.S. - Agamkuan, Distt. - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Kumari Wife of Tarun Kumar Resident of village - Shanti Niketan Colony, Near Hari Medical, Bhutnath Road, P.S. - Agamkuan, Distt. - Patna, At present residing at village - Bhagwanpur, P.S. - Masaurhi, Distt. - Patna

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Digvijay Narayan Singh, Advocate
For the State	:	Mr.Arvind Kumar Pandey, 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, 323, 506, 308/34 of the Indian Penal Code.

Allegation against the accused persons including the petitioners is of committing torture and assault 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 petitioners have falsely been implicated in the present case. Specific allegation is against the husband for assaulting the victim. No specific overt act is alleged against the petitioners. Except for offence under Section 308 of I.P.C., rest of the offences are triable by the Magistrate. Petitioners are the mother-in-law and father-in-law of the victim respectively. 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) with two sureties of the like amount each to the satisfaction of learned Court below/concerned Court in connection with Agamkuan P.S. case No.1000 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)

Narendra/-

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