

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27586 of 2023

Arising Out of PS. Case No.-1806 Year-2021 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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1. Rangila Baitha @ Ritesh Baitha Son Of Late Rajkishore Baitha Resident Of Village- Ganesh Dumar, Ps- Phulwaria, Distt- Gopalganj
 2. Sursatiya Devi @ Sursati Devi @ Saraswati Devit Wife Of Late Rajkishore Baitha Resident Of Village- Ganesh Dumar, Ps- Phulwaria, Distt- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tetari Devi Wife Of Rangila Baitha @ Ritesh Baitha Resident Of Village- Ganesh Dumar, Ps- Phulwaria, Distt- Gopalganj At Present D/O Late Salif Baitha, R/O Village- Bhawani Chhapar, Ps- Phulwaria, Distt- Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr.Satyendra Rai, Advocate
For the State	:	Mr.Manoj Kumar, APP
For opposite party No.2	:	Mr.Vyas Kumar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-06-2023 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the opposite party No.2.

The petitioners are apprehending their arrest in a case registered under Sections 323, 406, 498A, 307, 511, 494/34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act, but cognizance has been taken under Sections 323, 406, 498A and 494/34 of I.P.C.

Allegation against 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. The case is triable by the Magistrate. The petitioner No.1 is the husband of the victim and petitioner No.2 is the mother-in-law of the victim. 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 learned counsel for the opposite party No.2, 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 Complaint case No.1806/2021, Trial No.419/2023, 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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