

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28534 of 2023

Arising Out of PS. Case No.-69 Year-2022 Thana- MAHILA P.S. District- Rohtas

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1. Shanti Devi Wife Of Mahendra Singh @ Mahendra Prasad Resident Of Village - New Area, Tilauthu, P.S.- Tilauthu, District - Rohtas.
 2. Mamta Devi Wife Of Gopal Yadav @ Gopal Kumar Resident Of Village - Nayka Gaon, P.S.- Tilauthu, District - Rohtas.
 3. Gopal Yadav @ Gopal Kumar Son Of Ramashish Yadav Resident Of Village - Nayka Gaon, P.S.- Tilauthu, District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kavita Kumari Daughter of Hazari Singh Resident of Village - Mithopur, P.S.- Indrapuri, District - Rohtas.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shankar Kumar, Advocate
For the Opposite Party/s	:	Mr.Sanjay Kumar Pandey, APP
For the Informant/s	:	Mr. Ajay kr. Tiwari, Advocate

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 323, 498A & 315/34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioners is of committing torture upon the victim due to non-fulfillment 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 due to petty family dispute. The petitioner Nos. 1, 2 & 3 are mother-in-law, sister-in-law and brother-in-law of the informant/complainant 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) each with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Mahila P.S. Case No. 69 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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