

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33093 of 2023

Arising Out of PS. Case No.-336 Year-2022 Thana- DALSINGHSARAI District- Samastipur

1. Bindeshwar Mahto @ Bindeshwari Mahto Son Of Late Rameshwar Mahto Resident Of Village- Ward No. 01, Bambaiya Harlal, Ps- Dalsing Sarai, Distt- Samastipur
2. Sunaina Devi Wife Of Bindeshwar Mahto Resident Of Village- Ward No. 01, Bambaiya Harlal, Ps- Dalsing Sarai, Distt- Samastipur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Amit Kumar, Advocate
For the State	:	Mr.Upendra Kumar, APP
For the Informant	:	Mr.Ranjeet Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. The petitioners, in the present case, are seeking pre-arrest bail in connection with Dalsingsarai P.S. Case No. 336 of 2022 registered for the offences punishable under Sections 363/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act. They have no criminal antecedent as stated in paragraph '3' of the application.

3. As per the prosecution story, the informant has alleged that her daughter was married to one Amit Kumar according to Hindu rituals and after thirty days all her in-laws members were torturing her and were demanding one Alto Car.



The informant further alleged that the in-laws members of her daughter were threatened her to kill and when the informant went to meet her daughter, there was no member of the in-laws of her daughter. She believed that her daughter has been killed by her in-laws and disappeared her deadbody.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in this case. Learned counsel submits that the main allegations is against her husband who is already in judicial custody. Petitioners are father-in-law and mother-in-law of the victim lady.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the facts and circumstances of the case wherein these two petitioners are the father-in-law and mother-in-law of the victim lady and the thrust of the allegations are against her husband who is already in judicial custody, there being some submissions with reference to the whatsapp chats between the victim lady and the boy, this Court at this stage, direct that in case of their arrest/surrender within a period of four weeks from today, let the petitioners above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to



the satisfaction of learned Additional Chief Judicial Magistrate-I, Dalsingsarai, in connection with Dalsingsarai P.S. Case No. 336 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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