

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33292 of 2023

Arising Out of PS. Case No.-90 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Rakesh Bind, Male, aged about 22 Years, Son of Mahendra Bind, R/O Village-Sorangapur, P.S. Dulhin Bazar, Dist Patna.
 2. Koshmi Devi, Female, aged about 56 Years, Wife of Mahendra Bind, R/O Village-Sorangapur, P.S. Dulhin Bazar, Dist Patna.
 3. Khushbu Kumari, Female, aged about 18 Years, Daughter of Mahendra Bind, R/O Village Sorangapur, P.S. Dulhin Bazar, Dist Patna.
 4. Rinku Devi, Female, aged about 25 Years, Daughter of Mahendra Bind, R/O Village-Sorangapur, P.S. Dulhin Bazar, Dist Patna.

... .. Petitioners

Versus

1. The State of Bihar.
2. Most. Sita Devi, Wife of Late Rajkumar Bind, Resident Of Village- Pakari, P.O.- Bhaiswa, P.S.- Masaurdhi, Distt- Patna.

... .. Opposite Parties

Appearance :

For the Petitioners	:	Mr. Arun Kumar, Advocate
For the State	:	Mrs. Asha Devi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 323, 498A and 504 of
the I.P.C.

Allegation against the petitioners is of committing
torture upon the victim due to non-fulfilment of demand of
dowry.

It has been submitted by learned counsel for the



petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case due to petty family dispute. The petitioner no. 1 is the brother-in-law (Dewar), petitioner no. 2 is the mother-in-law, petitioner no. 3 is the sister-in-law (Nanad) and petitioner no. 4 is the married sister-in-law (married Nanad) of the victim. The case is triable by the Magistrate. The petitioners have further 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 learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R./ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest or 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned court below/concerned court, in connection with Complaint



Case No. 90(C) of 2016, 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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