

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32734 of 2023

Arising Out of PS. Case No.-34 Year-2023 Thana- LAKHISARAI District- Lakhisarai

1. Kailash Prasad Sao @ Kailash Sao Son Of Late Jagdish Sao Resident Of Village- Bangalwa, Ps- Ladaiyatar, Dist- Munger
2. Antosh Kumar Son Of Sri Kailash Sao Resident Of Village- Bangalwa, Ps- Ladaiyatar, Dist- Munger
3. Manju Devi Wife Of Dilip Sao Resident Of Village- Bangalwa, Ps- Ladaiyatar, Dist- Munger
4. Sanju Kumari @ Sanju Devi Wife Of Sri Santsoh Kumar Resident Of Village- Bangalwa, Ps- Ladaiyatar, Dist- Munger
5. Santosh Kumar Son Of Gopal Sao Resident Of Village- Singhia, Ps- Naya Gaon, Distt- Munger

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sweta Kumari Wife Of Sri Varun Kumar Resident Of Village- Naya Bazar Petrol Pump, Ps- Lakhisarai (Kawaiya Op), Distt- Lakhisarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Umeshanand Pandit, Advocate
For the Opposite Party/s	:	Mr.Yogendra Kumar Singh, APP
For O.P. no. 2	:	Mr. Satyendra Prasad Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioners are apprehending their arrest in a case registered under Section 498A, 494/34 of the Indian Penal Code and ³/₄ of Dowry Prohibition Act.

Allegation against the petitioners is of committing torture 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. Petitioner No. 1 is father-in-law, petitioner No. 2 is brother-in-law, petitioner Nos. 3 and 4 are married *nanad* and petitioner No. 5 is brother-in-law(*nandosi*), of the victim. They have falsely been implicated in the present case due to petty family dispute. The case is triable by the Magistrate. 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 the O.P. 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) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Lakhisarai (Kawaiya O.P.) P.S. case No. 34/2023, 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)

Pankaj/Vikash-

U		T	
---	--	---	--

