

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39168 of 2023

Arising Out of PS. Case No.-74 Year-2023 Thana- MAIRWAN District- Siwan

1. Kishor Baitha Son Of Budhai Baitha Resident Of Village- Imlauli, Ps- Mairwa, District- Siwan
2. Dharamshila Devi Wife Of Surendra Baitha Resident Of Village- Imlauli, Ps- Mairwa, District- Siwan
3. Kitu Devi Wife Of Janardhan Baitha Resident Of Village- Imlauli, Ps- Mairwa, District- Siwan
4. Sashikala Devi Wife Of Shailendra Baitha Resident Of Village- Imlauli, Ps- Mairwa, District- Siwan
5. Amarjit Baitha Son Of Kishor Baitha Resident Of Village- Imlauli, Ps- Mairwa, District- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Niva Kumar Devi Wife Of Satendra Baitha Resident Of Village- Imlauli, Ps- Mairwa, District- Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Kumar
For the Opposite Party/s : Mr. Murli Dhar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 2 18-07-2023 1. Heard learned counsel for the petitioners and learned APP for the State.
2. Learned counsel for the petitioners seeks permission to withdraw this application as against the petitioner no.1 & 5, as they have already been arrested by the police, during pendency of this application.
3. Permission is granted.
4. Accordingly, the instant application as against the petitioner no.1 & 5 is dismissed as withdrawn.



5. Now, this application is being heard for consideration of anticipatory bail as against the petitioner nos.2, 3 & 4 only.

6. Heard the learned counsel for the rest of the petitioners and learned A.P.P. for the State.

7. The petitioners apprehends his arrest in a case registered under sections 341, 342, 323, 307, 498A and 506/34 of the Indian Penal Code and 3/4 of D.P. Act.

8. The allegation against the petitioners is of torturing the informant in association of his family members on account of non-fulfillment of demand of dowry and of ousting her out of the matrimonial house.

9. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that petitioners are the in laws of the informant. He submits that there is no specific overt act against the petitioners. He further submits that petitioners have got criminal antecedents as stated in para-3 of the bail application.

10. Learned APP for the State opposes the prayer for bail.

11. Considering the aforesaid facts and



circumstances, let the petitioner nos.2, 3 & 4, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Mairwa P.S. Case No.74/2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

12. 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.

13. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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