

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40802 of 2023

Arising Out of PS. Case No.-224 Year-2019 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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GHANSHYAM YADAV son of Late Soti Lal Yadav Village- Kolhaypatti
(Paschimi Tola) Po- Raghunathpur Ps- Murliganj, Dist- Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pinki Kumari wife of Sumit Kumar,D/o- Brahmdeo Yadav Village-
Panchgachhiya Po- Laskari Ps- Uda Kishunganj Dist- Madhepura

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 28-07-2023 Heard the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No. C-224/2019 for the offence under Section 498A of the I.P.C. and Section 3/4 of the Dowry Prohibition Act lodged on 18.07.2019 by the complainant, Pinki Kumari.

As per the prosecution story, the allegation is that the lady was married to Sumit Kumar, the son of the present petitioner, but was regularly tortured for dowry and on the fateful day, they tried to burn her. Accordingly, the F.I.R.

Learned counsel for the petitioner submits that he is the father-in-law, living separately and had nothing to do with



the affairs of the couple.

Learned APP opposes the prayer stating that he is also named in the complaint.

Considering the aforesaid facts as also that the petitioner is aged father-in-law and do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned S.D.J.M. Uda Kishunganj, Madhepura, in connection with Complaint Case No. C-224/2019 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

With the aforesaid observations, the anticipatory bail
application is allowed.

(Rajiv Roy, J)

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