

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47480 of 2023

Arising Out of PS. Case No.-2797 Year-2019 Thana- SARAN COMPLAINT CASE District-
Saran

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1. RAVINDRA NATH KUWAR Son of Late Gorakh Kuwar Permanent resident of village-Sahattawar, District-Balia (Uttar Pradesh) at present residing at Shri Krishna Udyan Complex Quarter No. 1/4 Road No. 15 Mango, Police Station-Mango, District-Singhbhum (Jharkhand)
 2. KANTI DEVI Wife of Ravindra Nath Kuwar Permanent resident of village-Sahattawar, District-Balia (Uttar Pradesh) at present residing at Shri Krishna Udyan Complex Quarter No. 1/4 Road No. 15 Mango, Police Station-Mango, District-Singhbhum (Jharkhand)

... .. Petitioner/s

Versus

1. The State of Bihar
2. SONI SINGH @ SUSAMITA SINGH Wife of Binod Kuwar and daughter of Vijay Kumar Singh At present residing at village-Nagraj, Police Station-Isuapur, District-Saran (Chapra)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai, Advocate
For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioners,
complainant and learned APP for the State.

The petitioners apprehend their arrest in connection with Complaint Case No. 2797 of 2019 for the offence registered under Sections 323, 498(A)/34 of the Indian Penal Code lodged on 14.08.2019 by the complainant, Sony Singh.

As per the prosecution story, the complainant has alleged that she was married to Binod Kuwar in the year, 2016 but was always tortured for dowry in which the present



petitioners (parents) also supported and further she came to know that in Ahmedabad where he is working, he has kept a lady, Shilpi Sharma as his wife. Accordingly, the FIR.

Learned counsel for the petitioners submit that the parents are victim of circumstances where both their sons live independently, have exceeded their jurisdiction which has resulted into both the daughter-in-laws lodging complaint against them and they are fighting cases after cases despite having superannuated and shifted to Mango, Jamshedpur (Jharkhand).

Learned counsel for the Informant submits that the allegation against them is also of assault and supporting the demand of dowry.

Considering the fact that they are parents, do not have criminal antecedents, main allegation is against the husband and ultimately will have to face the trial, this Court is inclined to grant them privilege of anticipatory bail.

Let the petitioners, in the event of their arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-



Divisional Judicial Magistrate, Chapra, District Saran in connection with Complaint Case No. 2797 of 2019 subject to condition 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 petitioners 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 their bail bond by the Trial court itself;

(iii) the petitioners 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 their bail bonds;

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

(Rajiv Roy, J)

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