

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56464 of 2023

Arising Out of PS. Case No.-29 Year-2015 Thana- MAHILA P.S. District- Banka

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1. SANTOSH YADAV SON OF RAJ KUMAR YADAV RESIDENT OF VILLAGE-BARTUNIYA, POLICE STATION- KATORIYA (SUIYA), DISTRICT- BANKA
 2. RAJ KUMAR YADAV SON OF LATE BALESHWAR YADAV @ LATE LALESHWAR YADAV RESIDENT OF VILLAGE-BARTUNIYA, POLICE STATION- KATORIYA (SUIYA), DISTRICT- BANKA
 3. SUMANTI DEVI WIFE OF RAJ KUMAR YADAV RESIDENT OF VILLAGE-BARTUNIYA, POLICE STATION- KATORIYA (SUIYA), DISTRICT- BANKA

... .. Petitioner/s

Versus

1. The State of Bihar
2. REKHA BHARTI WIFE OF SANTOSH YADAV RESIDENT OF VILLAGE-BARTUNIYA, POLICE STATION- KATORIYA (SUIYA), DISTRICT- BANKA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Adv.
For the Opposite Party/s : Mr.Ashok Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-09-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 498 (A), 341, 323, 34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

3. Allegedly, all the accused persons including these petitioners are said to have tortured upon the informant physically and mentally and ousted her from her matrimonial



home due to non-fulfillment of dowry demand.

4. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioner no.1 is husband, petitioner no.2 is father-in-law and petitioner no.3 is mother-in-law of the informant. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based concocted facts. It is further submitted that the informant has solemnized her second marriage with one Sukkar Mahtha, as mentioned in para 9 of the bail application. Petitioner nos. 1 & 2 have one criminal antecedent, whereas petitioner no.3 has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as the informant has solemnized her second marriage with one Sukkar Mahtha, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is



pending/successor Court in connection with Banka Mahila P.S.
Case No. 29 of 2015, subject to the condition as laid down
under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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