

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71723 of 2022

Arising Out of PS. Case No.-103 Year-2022 Thana- SIWAN COMPLAINT CASE District-
Siwan

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BASANTI DEVI W/o Mukesh Ram R/o Village- Manpur Pateji, P.S.- Asaon,
Distt- Siwan.

... .. Petitioner

Versus

1. The State of Bihar
2. SHOBHA DEVI D/o Gaurishankar Ram R/o Village- Madhwapur, P.S.-
Daraunda, Distt- Siwan.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking pre-arrest
bail in connection with Complaint Case No.- 103 of 2022
registered for the offences punishable under Section 498(A) of
the Indian Penal Code. She has got no criminal antecedent.

As per the prosecution story, when the complainant
reached her matrimonial house all the accused persons under
conspiracy made a demand of heavy gold chain, 1.5 lakh rupees
cash as dowry and upon non-fulfillment of the same, they
started abusing, torturing her. They even ousted her from her
matrimonial home and snatched all her Stridhan worth Rs.
5,00,000/- from her. Again, panchayati was held between the



parties to solve this issue but later on they again ousted her and were adamant to not keep her.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that she is the Mother-in-law of the complainant and has been falsely dragged in this case.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case, wherein the husband of the complainant has already been granted privilege of pre-arrest bail on a condition that he is ready to pay Rs. 6,000/- (Rupees Six Thousand) per month to Opposite Party No. 2, this petitioner is the mother-in-law of the complainant and there being no specific allegation against the petitioner, this Court directs release of the petitioner above named on bail in the event of her arrest or surrender within a period of four weeks from today in connection with Complaint Case No. 103 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 2nd class Siwan, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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