

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7415 of 2024

Arising Out of PS. Case No.-104 Year-2021 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

-
1. BIGNI KUER WIFE OF LATE RAMAWADH SINGH R/O-KHAJURI (TELKAP) P.O.-BANJARI P.S.-ROHTAS DISTT.-ROHTAS
 2. VIKASH SINGH @ VAKIL SINGH @ VIKASH KUMAR @ VAKIL SON OF LATE RAMAWADH SINGH R/O-KHAJURI (TELKAP) P.O.-BANJARI P.S.-ROHTAS DISTT.-ROHTAS
 3. KAVITA DEVI WIFE OF VIKASH SINGH @ VAKIL SINGH @ VIKASH KUMAR @ VAKIL R/O-KHAJURI (TELKAP) P.O.-BANJARI P.S.-ROHTAS DISTT.-ROHTAS

... .. Petitioner/s

Versus

1. The State of Bihar
2. SONAM KUMARI WIFE OF OSIAR SINGH D/O-BHIM SINGH, R/O-KHAJURI (TELKAP) P.O.-BANJARI P.S.-ROHTAS DISTT.-ROHTAS. PROPERLY R/O IN SICHAIEE COLONY INDRAPURI QUARTER NO. F 72 P.O. AND P.S.-INDRAPURI DISTT.-ROHTAS. PERMANENT ADDRESS KASMIRGANJ (MANICHAK) MASHAURI P.O. AND P.S.-MASHAURI DISTT.-PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Mishra, Advocate
For the Opposite Party/s : Ms. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-02-2024 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Complaint Case No. 104 of 2021 for the offence registered under sections 498 A, 406 and 323 of the Indian Penal Code and section 3/4 of the D.P. Act lodged on 16.04.2021 by the complainant, Sonam Kumari.



3. As per the prosecution story, the lady was married to Osiar Singh in the year 2016 but was always tortured for dowry. Accordingly, the FIR.

4. It is the case of the petitioners that they are mother-in-law, brother-in-law and sister-in-law and the petitioner no. 2 is posted in the Indian Railways at Mugalsarai and have no connection with the family but only because of the relationship, he has been dragged in the FIR. They will be co-operating in the investigation as and when required.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that they are family members.

6. Taking into account the aforesaid facts as also that they are mother-in-law, sister-in-law and brother-in-law, FIR lodged ultimately they will be facing the trial, this Court is inclined to extend them privilege of anticipatory bail.

7. Let the petitioners in the event of 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 S.D.J.M., Dehri, Rohtas in connection with Complaint Case No. 104 of



2021 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 petitioners, who shall provide official document to show their *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 their bail bonds.

(Rajiv Roy, J)

Neha/-

U		T	
---	--	---	--

