

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21017 of 2024

Arising Out of PS. Case No.-488 Year-2022 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

-
1. Kaushalya Devi Wife of Nagendra Sah
 2. Nagendra Sah Son of Raj Narayan Sah.
Both Resident of Village- Narwar, P.S.- Dinara, District- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Guddi Kumari Wife of Praytosh Kumar, D/o Birendra Sah, R/o Village-
Narwar, P.S.- Dinara, Presently residing- Seshar, P.S.- Dinara, Dist.- Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Sinha, Advocate

For the Opposite Party/s : Ms.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-04-2024 Heard Mr.Pankaj Sinha, learned counsel for the

petitioners and Ms.Indu Kumari Srivastava, learned Additional

Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Complaint Case No.488 of 2022, registered
for the offences punishable under Section 498(A) of the Indian
Penal Code.

3. Allegation against the petitioners and other co-
accused persons is of committing torture upon the victim due to
non-fulfillment of demand of dowry.

4. Learned counsel for the petitioners submits that



petitioners have clean antecedent and they have falsely been implicated in the present case. The allegation as alleged in the complaint petition is false and fabricated and from a bare perusal of the complaint petition it appears that there is no specific allegation of demand of dowry against the petitioners and in fact the petitioners have filed a complaint petition against the father and family members of the complainant and when the family members of the complainant came to know about Complaint Case No.423 of 2022 filed by petitioner No.2 then in retaliation the complainant has filed the present complaint petition on 01.08.2022 against the petitioners and other family members.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Rohtas in connection with Complaint Case No.488 of 2022, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(Rajesh Kumar Verma, J)

Nitesh/-

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

