

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18982 of 2024

Arising Out of PS. Case No.-835 Year-2020 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

-
1. Chunchun Devi W/O Pramod Ray @ Pramod Kumar
 2. Pramod Ray @ Pramod Kumar S/O Nanad Lal Roy.
All R/O Village- Gauspur, P.S- Jandaha, Distt.- Vaishali.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Meena Devi @ Mina Devi W/O Ram Swarath Ray R/O Village- Chakjalal,
P.S- Tajpur (Halai O.P), Distt.- Samastipur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap, Advocate
For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-04-2024 Heard Mr.Mahendra Pratap, learned counsel for the

petitioners and Mr.Nitya Nand Tiwary, learned Additional

Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Complaint Case C.R.No.835 of 2020,
registered for the offences punishable under Section 498(A) of
IPC and Section 4 of Dowry Prohibition Act.

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 merely on the ground that petitioner No.1 is mother-in-law and petitioner No.2 is Father-in-law of the daughter of the complainant. Learned counsel for the petitioners submits that from a bare perusal of the complaint petition as well as the S.A. of the complainant it appears that she has not alleged anywhere in her S.A. that the petitioners have demanded any dowry from the daughter of the complainant or the complainant.

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, petitioners have clean antecedent, petitioners are inlaws of the daughter of the complainant and there is no specific allegation of any demand of dowry is attributed against the petitioners, 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 Sub Divisional Judicial Magistrate, First Class, Samastipur in connection with



Complaint Case C.R.No.835 of 2020, 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	
---	--	---	--

