

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24865 of 2024

Arising Out of PS. Case No.-305 Year-2023 Thana- BHELDI District- Saran

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1. Shiv Prasad Manjhi S/o Lath Dashrath Manjhi R/o vill - Jogni Parsa, P.s. - Veldi, Distt. - Saran at Chapra
 2. Kaushalya Devi W/o Shiv Prasad Manjhi R/o vill - Jogni Parsa, P.s. - Veldi, Distt. - Saran at Chapra

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kabita Kumari W/o Sanoj Manjhi R/o vill - Jogni Parsa, P.S. - Veldi, Distt. - Saran at Chapra

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Udai Shankar Singh, Advocate
For the Opposite Party/s	:	Mr. Jitendra Kr. Singh, APP
For the Informant	:	Mr. Avinash Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 15-05-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Veldi P.S. Case No. 305 of 2023 for the offence registered under Sections 341, 342, 323, 504, 506, 498A, 313, 316 and 34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act lodged on 20.10.2023 by the informant, Kabita Kumari.

3. Pursuant to the last order dated 01.05.2024, the lady appeared and narrated her ordeal and for the present wants to remain where she is.



4. Learned counsel for the petitioners submit that she being the legally wedded wife, he intends to pay Rs. 10,000/- per month and for the month of May, 2024, he shall be paying the same by 31st of May, 2024. Further, from June, 2024 he shall be diligently paying Rs. 10,000/- by tenth of every month and failure to do so, the informant shall be free to take steps for cancellation of the bail, if the relief is extended.

5. Learned counsel appearing on behalf of the informant submits that he shall be providing the Bank Account details of the lady in course of the day.

6. Taking into the account the aforesaid facts/development, this Court is inclined to extend them privilege of anticipatory bail which will be subject to the fact that he shall be diligently paying Rs. 10,000/- to the informant by 10th (tenth) of every month and failure to do so, the informant shall be free to take immediate steps for cancellation of his bail bonds.

7. The amount of May, 2024 shall be paid by 31st of May, 2024.

8. Learned counsel for the informant also undertakes to file a maintenance case before an appropriate Court within six months from today. Once, the final order in the maintenance



case comes, this payment order shall merge with the order passed by the concerned Court.

9. Let the petitioners be released on bail in the event of their arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned J.M. 1st Class, Saran at Chapra in connection with Veldi P.S. Case No. 305 of 2023 subject to the conditions 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 the 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)

Adnan/-

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