

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29379 of 2024

Arising Out of PS. Case No.-776 Year-2022 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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1. Ram Nandan Mandal Son of Ram Khelawan Mandal Resident of Village- Fatehpur, P.S.- Rosera, Dist.- Samastipur
 2. Gulab Devi Wife of Rm Nandan Mandal Resident of Village- Fatehpur, P.S.- Rosera, Dist.- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manisha Kumari Wife of Rajnish Kumar, D/o of Late Ram Shankar Sinha Resident of Village- Fatehpur, P.S.- Rosera, Dist.- Samastipur. At present residing at Village- Dubeypur, P.S. Hathauri, Dist.- Samstipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Complaint Case No. 776 of 2022, instituted for the offence
punishable under Sections 498 of the Indian Penal Code.

3. The prosecution story, in short, is that, the
petitioners have solemnized the marriage of their son with the
informant and after marriage their son started torturing the
informant on the pretext of wrong marriage. On 22.06.2022, the
accused persons mixed poison in the food of informant.



Thereafter on 12.10.2022, the F.I.R. named accused persons told the informant to leave the house and when she refused to do so then they poured kerosene oil on her body with intention to kill her.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that petitioner no. 1 is the father-in-law and petitioner no. 2 is the mother-in-law of the opposite party no. 2. It is further submitted that petitioners have neither tortured nor demanded any dowry from the complainant and so far allegations of giving poison and pouring kerosene oil are concerned, it is totally false and concocted. There is no evidence of pouring kerosene oil upon the complainant and further there is no injury report to support the allegation of assault. Further submission is that cognizance has been taken only under Section 498 A of the I.P.C. and Lastly, it has been submitted that the petitioners have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of



six weeks from today, in connection with Complaint Case No. 776 of 2022, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Rosera, Samastipur, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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