

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39218 of 2024**

Arising Out of PS. Case No.-1016 Year-2023 Thana- BHABHUA District- Kaimur (Bhabhua)

1. Upendra Kumar Son of Kashi Bind R/O Vill.- Akhlaspur, P.S.- Bhabhua, Dist.- Kaimur (Bhabhua)
2. Hira Devi @ Hirawati Devi Wife of Kashi Bind R/O Vill.- Akhlaspur, P.S.- Bhabhua, Dist.- Kaimur (Bhabhua)
3. Kashi Bind Son of Ram Dular Bind R/O Vill.- Akhlaspur, P.S.- Bhabhua, Dist.- Kaimur (Bhabhua)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                             |
|--------------------------|---|-----------------------------|
| For the Petitioner/s     | : | Mr.Varun Kumar, Adv.        |
| For the Opposite Party/s | : | Mr.Bharat Lal, APP          |
| For the informant        | : | Mr. Uday Pratap Singh, Adv. |

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

3      22-11-2024                      Heard Ms. Arbind Nath Pandey, learned counsel for the petitioners, Mr. Uday Pratap Singh, learned counsel representing the informant and learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Bhabhua P.S. Case No. 1016 of 2023 for the offence under sections 498(A), 341, 323, 504/34 of the IPC and section 3/4 of the D.P. Act, lodged on 07.11.2023 by the informant, Anita Devi.

3. As per the prosecution story, the informant alleged that she was married with the petitioner no.1 and was also given dowry but was always tortured. On the fateful day, she was



assaulted, admitted to Hospital, thereafter, the FIR.

4. Learned counsel for the petitioners submits that minor issues have been given a big colour for which this prosecution story has come up. With the help of para-10 of the petition, the husband submits that with all dignity and honour, he wants to keep his wife and whenever she intends to come, he shall be the most happy person. The other petitioners are mother-in-law and father-in-law.

5. In this case, the matter was sent for mediation but as per the report, the same failed.

6. The husband has undertaken to keep his wife with dignity and honour. Accepting his words, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners, above named, be released on bail in the event of 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 Chief Judicial Magistrate, Kaimur at Bhabhua in connection with aforesaid PS Case, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as well as the following conditions:-

(i) one of the bailors should be the family



member/relative of the petitioners who shall provide official document to show his/her 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)**

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