

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47945 of 2024

Arising Out of PS. Case No.-2064 Year-2023 Thana- SIWAN COMPLAINT CASE District-
Siwan

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1. Rameshwar Sah S/O Late Jhagru Sah
 2. Sanyoga Devi W/O Rameshwar Sah.
Both are R/O Village- Harpur Dakshin Tola, P.S- Baniyapur, Distt.- Saran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Jaimala Kumari D/O Parmesh Sah At Present ,r/o Infront Rampur, P.S-
Siswan, Distt.- Siwan, and Add. Of Sasural- W/O- Pramod Sah, D/O
Parmesh Sah, R/O- Harpur Dakshin Tola, P.S.- Baniyapur, Dist.- Saran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr.Advocate
	:	Ms.Kumari Anupam, Advocate
For the Opposite Party/s	:	Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-08-2024 Heard Mr. Yogesh Chandra Verma, learned counsel
for the petitioners and Mr.Dilip Kumar No. 1, learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Complaint Case No.2064 of 2023, registered
for the offences punishable under Sections 498(A)/34 of the
Indian Penal Code.

3. 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 the
petitioner No.1 is father-in-law and petitioner No.2 is mother-in-



law of the complainant. Further submits that from a bare perusal of the FIR it appears that there is no specific allegation of any demand of dowry attributed against the petitioners rather there is general and omnibus allegation against all the accused persons including the petitioners.

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

5. Considering the aforesaid facts, petitioners have clean antecedent, there is no specific allegation of any demand of dowry attributed against the petitioners and the petitioners are father-in-law and mother-in-law of the complainant, 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 Judicial Magistrate-1st Class, Siwan in connection with Complaint Case No.2064 of 2023, 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)

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