

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56667 of 2024

Arising Out of PS. Case No.-10 Year-2024 Thana- MAHILA P.S District- West Champaran

1. Laila Khatoon Wife of Wakil Dewan @ Wokil Dewan @ Wakil Sah @ Wakil Sah R/O Vill.- Bhitiharwa Ashram, P.S.- Gaunaha, Dist.- West Champaran.
2. Wakil Dewan @ Wokil Dewan @ Wakil Sah @ Wakil Sai Son of Late Latif Sai R/O Vill.- Bhitiharwa Ashram, P.S.- Gaunaha, Dist.- West Champaran.
3. Mahmood Dewan Son of Wakil Dewan @ Wokil Dewan @ Wakil Sah @ Wakil Sai R/O Vill.- Bhitiharwa Ashram, P.S.- Gaunaha, Dist.- West Champaran.
4. Istekhar Dewan Son of Wakil Dewan @ Wokil Dewan @ Wakil Sah @ Wakil Sai R/O Vill.- Bhitiharwa Ashram, P.S.- Gaunaha, Dist.- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Reshma Khatoon Wife of Manjur Sah D/O Mukhtar Dewan @ Mukhtar Sah R/O Vill.- Bhitiharwa Ashram, P.S.- Gaunaha, Dist.- West Champaran.
Present Address Bishunpurwa, Mobin Tola, P.S.- Lauriya, Dist.- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-09-2024 Heard Mr. Bimlesh Kumar Pandey, learned counsel

for the petitioner and Mr. Umesh Kumar Gupta representing the

informant as also the APP.

2. The petitioners apprehends their arrest in connection with Mahila P.S. Case No.10 of 2024 for the offence registered under Sections 341, 323, 498A, 504, 506, and 34 of the Indian Penal Code lodged on 03.03.2024 by the informant, Reshma Khatoon.



3. As per the prosecution story, based on the written information, the lady Reshma Khatoon was married to Md. Manjur Sah in the month of March, 2023 but was always tortured for dowry and the family members played active role as she was even denied food and was mentally harassed.

4. Learned counsel for the petitioners submits that admittedly, the petitioner-husband in Criminal Miscellaneous No.55942 of 2024 has shown his willingness to live with the wife and following that an order has been passed on 04.09.2024 since the informant was present, the same has been sent for mediation.

5. These petitioners are family members, the mother in law, father in law and brothers in law and as such they living separately and are ready to abide by all the terms and conditions.

6. Learned counsel for the informant on the other hand opposes the prayer submitting that allegation is against all the family members.

7. The husband has already filed an anticipatory bail and has shown his willingness to live with his wife with full dignity and honour, with the consent of the parties, the matter has been referred to mediation centre for 12.09.2024 where the



couple will be appearing, the husband has been granted interim protection, these petitioners are family members including the father in law and mother in law, it would be appropriate that they are extended the relief.

8. Let the petitioner 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 A.c.J.M., Bettiah, West Champaran, in connection with Mahila P.S. Case No.10 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner 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 his bail bond by the Trial Court itself;

(iii) the petitioner 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 petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Ankit Kumar/-

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