

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59746 of 2024

Arising Out of PS. Case No.-83 Year-2015 Thana- MADHUBAN District- East Champaran

1. Ramesh Kumar Singh @ Brajesh Kumar Singh @ Ramesh Singh Son of Late Daljeet Prasad Singh R/O Vill.- Jogauliya Kothi, P.S.- Madhuban, Dist.- East Champaran.
2. Manish Kumar Singh @ Manish Kumar Son of Late Daljeet Prasad Singh R/O Vill.- Jogauliya Kothi, P.S.- Madhuban, Dist.- East Champaran.
3. Alok Kumar @ Alok Singh Son of Late Daljeet Prasad Singh R/O Vill.- Jogauliya Kothi, P.S.- Madhuban, Dist.- East Champaran.
4. Nirmala Devi Wife of Late Daljeet Prasad Singh R/O Vill.- Jogauliya Kothi, P.S.- Madhuban, Dist.- East Champaran.
5. Juhi Kumari Daughter of Late Daljeet Prasad Singh R/O Vill.- Jogauliya Kothi, P.S.- Madhuban, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-09-2024

1. Heard learned counsel for the parties.

2. The petitioners in this application pray for grant of anticipatory bail apprehending their arrest in connection with Madhuban P.S. Case no.83 of 2015 registered for the offence punishable under sections 498A and 34 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

3. As per allegation in the F.I.R, the informant states that she was married to Vikram Singh about 5 years ago. A male child was born out of the said wedlock, however,



unfortunately he passed away for lack of treatment. Another child was born. It is further stated that the informant was abused, assaulted and tortured by the accused. As such the FIR.

4. Learned counsel for the petitioners submits that the petitioner nos. 1, 2 and 3 happen to be the brother-in-law, petitioner no.4 is the mother-in-law and petitioner no.5 is the sister-in-law of the informant. They have been falsely implicated in the case. With respect to the delay, it is submitted that on earlier occasion the petitioners had been given the benefit of section 41A of the Cr.P.C. Cognizance was taken in the case on 21.10.2021. They did not have any information about the order taking cognizance. Subsequently, the husband of the informant was arrested and he is in custody. The petitioners have no criminal antecedent and undertake to cooperate in the case.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R., the contents of the case diary as is evident from the order of the learned trial Court together with the petitioners not having any criminal antecedent, it is directed that the petitioners, above



named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Madhuban P.S. Case no.83 of 2015 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Motihari, East Champaran.

(Partha Sarthy, J)

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