

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64499 of 2024

Arising Out of PS. Case No.-48 Year-2024 Thana- AKHODHIGOLA District- Rohtas

1. Mina Devi W/o Late Ajab Dayal Sah @ Ajab Dayal Singh R/o vill - B 54, J.J. Colony Choukandi New Delhi, West Delhi, P.S. - Tilak Nagar, Distt. - Delhi
2. Rinki Kumari @ Rinki D/o Late Ajab Dayal Sah @ Late Ajab Dayal Singh R/o vill - B 54, J.J. Colony Choukandi New Delhi, West Delhi, P.S. - Tilak Nagar, Distt. - Delhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sangita Kumari W/o Manish Kumar R/o vill - B 54, J.J. Colony Choukandi New Delhi, West Delhi, P.S. - Tilak Nagar, Distt. - Delhi. At present D/o Uma Shankar Prasad, R/v - Boank, P.S. - Akodhigola, Distt. - Rohtas, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-10-2024 Learned counsel for the petitioners is permitted to make necessary correction in paragraph no.3 of the bail petition in course of the day.

2. Heard Mr. Dharmendra Kumar Singh, learned counsel for the petitioners and Mr. Ram Priya Sharan Singh, learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Akodhigola P.S. Case No. 48 of 2024, F.I.R. dated 22.02.2024 for the offences punishable under Sections 323, 341, 498A, 379 and 34 of the Indian Penal Code and Section 3/4 of the



D.P. Act.

4. According to prosecution case, the allegation against the petitioners is of torturing the informant in association of their family members on account of non-fulfillment of demand of dowry.

5. 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 petitioner no.1 is mother-in-law and petitioner no.2 is sister-in-law of the informant. He further submits that from a bare perusal of the FIR it appears that there is no specific allegation attributed against these petitioners rather general and omnibus allegation against all the accused persons including these petitioners.

6. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioners.

7. Considering the aforesaid facts, the petitioners having clean antecedent and there is no specific allegation of any assault or overt act or demand of dowry is attributed against these petitioners, let the petitioners, above named, in the event of 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 bonds of Rs. 10,000/- (Ten Thousand) each with



two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Dehri on Son, Rohtas in connection with Akodhigola P.S. Case No.48 of 2024, 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 his absence on two consecutive dates without sufficient reason, his bail bond 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 antecedent, the court below shall take step for cancellation of bail bonds 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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