

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3051 of 2025

Arising Out of PS. Case No.-1493 Year-2023 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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1. Santosh Mandal S/O Sri Bechan Mandal R/O Villagex- Mohjan, P.S. -xFalka (Pothia O.P), Districtx- Katihar.
 2. Bechan Mandal S/O Late Parmeshwar Mandal R/O Villagexx- Mohjan, P.S. -xFalka (Pothia O.P), Districtx- Katihar.
 3. Rekha Devi W/O Sri Bechan Mandal R/O Village - Mohjan, P.S. - Falka (Pothia O.P), District - Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sony Devi W/O Santosh Mandal, D/O Gurudeo Mandal At present at residing at Village - Dumri, Police Station - Tikkapatti, Distt. - Purnia.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arun Kumar Mandal, Advocate
For the Opposite Party/s	:	Ms. Indu Kumari Srivastava, A.P.P.
For the O.P. No. 2	:	Mr. Bijendra Kumar Singh, Advocate
		Ms. Neha Pravin, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 08-05-2025 Learned counsel appearing on behalf of the petitioners at the outset seeks permission to withdraw the prayer for anticipatory bail on behalf of petitioner no. 1, namely, Santosh Mandal.

2. Permission is accorded.

3. Accordingly, the prayer for anticipatory bail on behalf of petitioner no. 1 is dismissed as withdrawn.

4. Heard learned counsel for the petitioners no. 2 and 3, learned A.P.P. for the State and learned counsel appearing on behalf of the complainant.



5. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 313 and 498 of the Indian Penal Code.

6. Learned counsel for the petitioners submits that the complainant alleges that she was married to Santosh Mandal and after marriage, the accused persons including the petitioners were demanding dowry of Rs.5 lakhs along with a motorcycle and when the dowry demand was not fulfilled, she was ousted from her matrimonial home. Further, Santosh Mandal has performed his second marriage.

7. Learned counsel appearing on behalf of the petitioners submits that in the order impugned dated 28.11.2024 in A.B.P. No. 630 of 2024, inadvertently the name of the second wife of Santosh Mandal is recorded as Rekha Devi when Rekha Devi is mother of Santosh Mandal.

8. At this stage, learned counsel appearing on behalf of the complainant submits that the name of the second wife of Santosh Mandal is Priti Kumari @ Priti Devi.

9. Learned counsel for the petitioners submits that petitioners, being parents of Santosh Mandal, have been implicated in the instant case by the complainant. It is further submitted that they live separately and they do not have control



over Santosh Mandal nor are aware that Santosh Mandal has performed his second marriage. It is next submitted that whenever any dispute arises in between the husband and the wife, the entire family members are implicated in a mechanical manner with general and omnibus allegation.

10. Learned A.P.P. for the State and learned counsel appearing on behalf of the complainant opposed the prayer for anticipatory bail of the petitioners.

11. Considering the submissions made by the learned counsel for the petitioners no. 2 and 3, let the petitioners no. 2 and 3 above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Complaint Case No. 1493 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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