

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39277 of 2024

Arising Out of PS. Case No.-20 Year-2022 Thana- MADHEPUR District- Madhubani

1. Lal Bacha Sadai S/o Fudi Sadai R/o vill - Mahasingh, Hasauli Mushari, ward no. 12, P.s. - Madhepur, Distt. - Madhubani
2. Hare Ram Sadai @ Hareram Sadai S/o Fudi Sadai R/o vill - Mahasingh, Hasauli Mushari, ward no. 12, P.s. - Madhepur, Distt. - Madhubani
3. Rambatti Devi W/o Fudi Sadai R/o vill - Mahasingh, Hasauli Mushari, ward no. 12, P.s. - Madhepur, Distt. - Madhubani
4. Amarjeet Sadai S/o Fudi Sadai R/o vill - Mahasingh, Hasauli Mushari, ward no. 12, P.s. - Madhepur, Distt. - Madhubani
5. Fudi Sadai S/o Late Janak Sadai R/o vill - Mahasingh, Hasauli Mushari, ward no. 12, P.s. - Madhepur, Distt. - Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sakuni Devi W/o Lal Bacha Sadai R/o vill - Hasauli, Mushari ward no. 12, P.s. - Madhepur, Distt. - Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Jitendra Bharti, Advocate
For the State	:	Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

7 19-04-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. It appears that despite repeated reminders for appearance of the O.P. No.2, she has failed to appear in the present proceedings.

3. The petitioners apprehend their arrest in connection with Madhepur P.S. Case No.20 of 2022 registered for the offence punishable under Sections 341, 323, 498A, 504, 506



and 34 of the Indian Penal Code. Petitioner no.1 is the husband of opposite party no.2.

4. The First Information Report lodged by the O.P. No.2 would indicate that the marriage was solemnized 7 to 9 years ago and there is a demand of motorcycle as dowry and on non-fulfillment of the same, cruelty has been inflicted upon the informant.

5. Learned counsel for the petitioners submits that the allegations made in the FIR are totally false and the allegations are also general and omnibus in nature. It has further been submitted that while the date of occurrence has been alleged to be 01.02.2022 but the present FIR has been lodged after a lapse of eight days on 09.02.2022. It has also been submitted that the petitioner no.1 is the husband of the informant while petitioner no.2, 3, 4 and 5 are the brother-in-law, mother-in-law and father-in-law of the informant respectively.

6. It has also been submitted that the petitioner no.1 being the husband of the informant has always performed his part of marital obligation and it is the wife who does not want to reside with the husband. It has been submitted by learned counsel for the petitioners that three children of the petitioner no.1 are residing with him.



7. The application has been opposed by the learned APP
for the State.

8. Taking into consideration the abovementioned facts
and circumstances of the case, let the above named petitioners,
be released on bail, in the event of their arrest or surrender
before the learned Court below within a period of four weeks
from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten
Thousand) each with two sureties of the like amount each to
the satisfaction of the learned A.C.J.M.-II, Jhanjharpur,
District-Madhubani in connection with Madhepur P.S. Case
No.20 of 2022, subject to the condition as laid down under
Section 438 (2) of the Cr.P.C. and subject to the further
condition that the petitioners shall cooperate in the
investigation/trial.

(Soni Shrivastava, J)

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