

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43052 of 2024

Arising Out of PS. Case No.-931 Year-2022 Thana- COMPLAINT CASE District- Supaul

1. Santosh Kumar S/o Hareram Prasad Yadav R/o Village-Chiknautwa Ward no.-8, P.S.-Ghailkardh, District-Madhepura
2. Hareram Yadav @ Shri Hareram Yadav @ Hareram Prasad Yadav S/o Bindeshwari Yadav R/o Village-Chiknautwa Ward no.-8, P.S.-Ghailkardh, District-Madhepura
3. Sita Devi W/o Hareram Prasad Yadav R/o Village-Chiknautwa Ward no.-8, P.S.-Ghailkardh, District-Madhepura
4. Kundan Kumar @ Kaushal Kumar S/o Hareram Prasad Yadav R/o Village-Chiknautwa Ward no.-8, P.S.-Ghailkardh, District-Madhepura
5. Priyanka Kumari W/o Santosh Kumar R/o Village- Jhaura, P.S.-Supaul, district-Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranju Kumari W/o Santosh Kumar, d/o Bhupendra Yadav Presently Residing at Hardi, Ward no.-11, P.S.-Supaul, District-Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prafull Chandra Thakur
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

7 03-04-2025

In pursuance to the earlier order dated 19.03.2025,
both the parties appeared with their respective counsel in
Chambers proceeding.

2. Heard the learned counsel for the petitioners,
learned counsel for the complainant as well as learned
Additional Public Prosecutor for the State.



3. The petitioners are apprehending their arrest in connection with Complaint Case No. 931(C) of 2022 for the offence under Sections 341, 323, 504, 506, 498A, 313 and 34 of the Indian Penal Code.

4. It is a case of matrimonial dispute between the parties. Petitioner no. 1 is the husband, petitioner no. 2 is the father-in-law, petitioner no. 3 is mother-in-law, petitioner no. 4 is the brother-in-law and petitioner no. 5 is the sister-in-law (nanad) of opposite party no. 2 (complainant). Allegation against the petitioner and his family members is of torturing, assaulting and ousting the complainant from her matrimonial house due to non-fulfillment of dowry demand.

5. Learned counsel for the petitioners submits that petitioner is quite innocent, committed no offence and has been falsely implicated in this case. He further submits that from perusal of the complaint petition it is crystal clear that there is no specific iota of evidence against the petitioners rather complainant is a ultra mode lady and she wants to live in naihar with the petitioner no. 1 but same was refused by petitioner no. 1 and due to aforesaid reason this false case has been filed against the petitioners. Whole complaint case is false and concocted. There is not a single independent witnesses in



support of the case of the complainant and as such she is only troubling.

6. Learned Additional Public Prosecutor opposes the prayer of anticipatory bail.

7. During course of argument learned counsel for the petitioners submits that petitioner no. 1 (husband) is ready to pay Rs. 8,000/- (eight thousand) per month as maintenance for his wife (complainant) to show his bona-fide conduct. He is also ready to pay two months advance maintenance at the time of filing bail bond. He further submits that petitioner no. 1 is ready to file an affidavit regarding the aforesaid payment in the Trial Court at the time of filing bail bond. The above amount of maintenance will be adjusted in any future allowances awarded by any competent Court. Opposite party no. 2 shall furnish her account details to the petitioner so that maintenance amount can be transferred directly to her account.

8. Keeping in view the aforesaid facts, let the petitioners be enlarged on anticipatory bail in the event of arrest or surrender within a period of four weeks from the receipt/production 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 J. M. 1st Class, Supaul in



connection with Complaint Case No. 931(C) of 2022 subject to
the conditions as laid down under Section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

prabhakar/-

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