

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54131 of 2024

Arising Out of PS. Case No.-32 Year-2020 Thana- TARAIIYA District- Saran

1. Chhotelal Ray @ Chhotelal Rai Son Of Late Jagarnath R/V- Maghar Pandey More, P.S.- Bhagwanpur, Distt.- Siwan
2. Sanjay Ray Son Of Late Jagarnath Ray R/V- Maghar Pandey More, P.S.- Bhagwanpur, Distt.- Siwan
3. Sri Bhagwan Ray @ Sri Bhagwan Rai Son Of Late Jagarnath Ray R/V- Maghar Pandey More, P.S.- Bhagwanpur, Distt.- Siwan
4. Satendra Ray Son Of Late Jagarnath Ray R/V- Maghar Pandey More, P.S.- Bhagwanpur, Distt.- Siwan
5. Tuntun Ray Son Of Late Jagarnath Ray R/V- Maghar Pandey More, P.S.- Bhagwanpur, Distt.- Siwan
6. Ajay Ray Son Of Late Jagarnath Ray R/V- Maghar Pandey More, P.S.- Bhagwanpur, Distt.- Siwan

... .. Petitioner/s

Versus

1. The State Of Bihar Patna, Bihar
2. Kajal Kumari D/O- Umesh Ray R/V- Afjalpur, P.S.- Taraiya, Distt.- Saran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Singh No. I, Advocate
For the O.P. No. 1	:	Mr. Braj Kishore Pd., APP
For the O.P. No. 2	:	Mr. Ajeet Kumar Bhardwaj, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 10-01-2025

Heard Mr. Ajay Kumar singh No. 1, learned Advocate for the petitioner and Mr. Ajeet Kumar Bhardwaj, for the informant. The State is represented by Mr. Braj Kishore Pd., the learned APP.



2. The earlier application preferred by the petitioners for grant of anticipatory bail in connection with Taraiya P.S. Case No. 32 of 2020 dated 03.02.2020 instituted for the offence under Sections 498(A), 376, 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act, 1961 was withdrawn as the opposite party No. 2 had given an impression to them that she is ready to resolve the dispute and not pursue the matter any further.

3. However, later she reneged on her promise and did not do the needful before the Court below.

4. Petitioner No. 1 is alleged to be the husband of O.P. 2, whereas petitioner Nos. 2 to 6 are the brothers of the petitioner No. 1.

5. The main defence of the petitioner is that the marriage was never solemnized and the accusation is false.

6. Nonetheless, considering the nature of



accusation, this Court had issued notice to O.P. No.2 *vide* order 26.07.2024.

7. Pursuant to the aforesaid notice, Mr. Ajeet Kumar Bhardwaj, the learned Advocate has appeared. Mr. Bhardwaj has stated before this Court that the O.P. No. 2 does not wish to prosecute the petitioners any further.

8. It appears that from the reading of the FIR that it is a case of a proposal of marriage having failed.

9. Considering the fact that O.P. No.2 does not wish to prosecute the petitioners any further, this Court is inclined to grant anticipatory bail to the petitioners.

10. The petitioners are directed to be released on bail, in the event of their arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate,



Chapra in connection with Taraiya P.S. Case No. 32 of
2020, subject to the conditions as laid down under
Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

manoj/sunil-

U		T	
---	--	---	--

