

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61534 of 2024

Arising Out of PS. Case No.-342 Year-2022 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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1. Manjula Devi Wife of Krityanand Ray Resident of Village - Kaduwa Basa, P.S.- Bhwanipur, District - Purnea.
 2. Krityanand Ray Son of Ramdeo Ray Resident of Village - Kaduwa Basa, P.S.- Bhwanipur, District - Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Madhu Kumari Wife of Bijendra Kumar Resident of Village - Kaduwa Basa, P.S.- Bhwanipur, District - Purnea. At Present Resident of Village - Bhawan Devi Tola, P.S.- Bhawanipur, District - Purnea.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kamal Kishore Singh, Advocate
For the Opposite Party/s	:	Ms. Nirmala Kumari, APP
For the O.P. No.2.	:	Mr. Subham Raj, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-01-2025 Heard Mr. Kamal Kishore Singh, learned counsel for the petitioners, Mr. Subham Raj, learned counsel for the O.P. No.2 and Ms. Nirmala Kumari, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Complaint Case No. 342 of 2022 for the offences punishable under Sections 498A and 494 of the Indian Penal Code and Section 3/4 of the D.P. Act.

3. According to prosecution case, allegation against the petitioners and other co-accused persons are of committing torture upon the victim due to non-fulfillment of the demand of



dowry.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that petitioner no.1 is mother in law and petitioner no.2 is father in law of the complainant. He further submits that from a bare perusal of the complaint petition it appears that there is no specific allegation against these petitioners rather general and omnibus allegation against all the accused persons including the petitioners and from a bare perusal of the S.A. of the complainant it appears that the husband of the complainant has demanded the dowry.

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

6. Considering the aforesaid facts and circumstances, 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 S.D.J.M., Katihar in connection with Complaint Case No. 342 of 2022, subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of the B.N.S.S., 2023 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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