

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81712 of 2024

Arising Out of PS. Case No.-787 Year-2023 Thana- COMPLAINT CASE District- Supaul

1. Paitrush Luis Son of Late Baidik (father-in-law) Resident of Village - Bistaria, Basmatia, Police Station - Raniganj, District - Araria
2. Amresh Luis @ Ambres Luis @ Ambros Luis Son of Paitrush Luis (Bhaisur) Resident of Village - Bistaria, Basmatia, Police Station - Raniganj, District - Araria
3. Masicharan Luis @ Masihcharan Luis @ Masihcharan Son of Paitrush Luis (Bhaisur) Resident of Village - Bistaria, Basmatia, Police Station - Raniganj, District - Araria
4. Prakash Luise Son of Paitrush Luis (Bhaisur) Resident of Village - Bistaria, Basmatia, Police Station - Raniganj, District - Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Marina Luis Wife of Late Pradeep Luis, Daughter of Serial Kajitan Resident of Village - Bistaria, Basmatia, Police Station - Raniganj, District - Araria. At present Resident of Village - Khoriya Mission Ward No.5, P.S. - Triveniganj, District - Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Naresh Kumar Mehta, Advocate
For the Complainant	:	Mr. Ranjeet Choubey, Advocate
For the State	:	Mrs. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-04-2025 Heard Mr. Naresh Kumar Mehta, learned counsel for the petitioners, Mr. Ranjeet Choubey, learned counsel for the Complainant and Mrs. Asha Kumari, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Complaint Case No. 787 of 2023, dated 19.07.2023 registered for the offences punishable under Sections 323, 341, 498(A) of the Indian Penal Code.

3. Allegation against the petitioners is of demand of



dowry and torture for the same.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that although petitioners are named in the complaint petition but it appears from the complaint petition itself that there is no allegation of any assault or overt act or demand of dowry attributed against these petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners. Petitioner no. 1 is father-in-law, petitioner nos. 2, 3 and 4 are brothers-in-law of the complainant.

5. Learned counsel for the Complainant as well as learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their 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 bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Supaul in connection with Complaint Case No. 787 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following



conditions :-

(1) 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, the court below shall take step for cancellation of bail bond 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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