

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81783 of 2024

Arising Out of PS. Case No.-326 Year-2024 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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Hira Devi w/o - Sri Arun Kumar Singh R/O Vill.- Vishanpur, P.S.- Patarghat,
Dist.- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Twinkal Kumari Wife of Ajit Kumar Singh, D/O Ashutosh Kumar Singh
R/O Vill.- Golma, P.S.- Patarghat, Dist.- Saharsa.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Dinkar Kumar, Advocate
For the Complainant	:	Mr. Satish Kumar Singh, Advocate
For the State	:	Mr. Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 17-04-2025 Heard Mr. Dinkar Kumar, learned counsel for the

petitioner, Mr. Satish Kumar Singh, learned counsel for the

Complainant and Mr. Sucheta Yadav, learned APP for the State.

2. The petitioner is apprehending her arrest in
connection with Complaint Case No. 326C of 2024, registered
for the offences punishable under Sections 341, 323, 379, 498A,
504, 506/34 of the Indian Penal Code and Section 3/4 of the
Dowry Prohibition Act but the cognizance has been taken under
Sections 498A of the Indian Penal Code and Section 3/4 of the
Dowry Prohibition Act.



3. Allegation against the petitioner is of demand of dowry and torture for the same.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and she has been falsely implicated in the present case. He further submits that the allegation as alleged in the complaint petition is false and fabricated and the petitioner has not committed any offence as alleged in the complaint petition. He further submits that from perusal of the complaint petition, it appears that there is no specific allegation against the petitioner rather there is general and omnibus allegation against all the accused persons that they have demanded dowry from the family members of the complainant. Petitioner is mother-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 petitioner and submits that the petitioner is named in the complaint petition and apart from that she took a vital role in the present case.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and there is no specific allegation of demand of dowry in the complaint petition against the petitioner, let the petitioner, above



named, in the event of her 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) with two sureties of the like amount each to the satisfaction of learned .S.D.J.M., Saharsa in connection with Complaint Case No. 326C of 2024, 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) Petitioner 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 her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers 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 petitioner and in case at any stage, it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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