

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13562 of 2017

Arising Out of PS.Case No. -202 Year- 2016 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

- =====
1. Hirday Rajak, Son of Late Kailu Rajak,
 2. Suminda Devi @ Sunindra Devi, Wife of Hirday Rajak.
 3. Vijay Rajak, Son of Hirday Rajak,
 4. Kiran Devi, Wife of Vijay Rajak, All residents of Village- Jogwani Etwa, Police Station- Gamharia, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Punam Devi, Wife of Sanjay Rajak, Daughter of Chhote Lal Rajak, Residents of Village- Jogwani Etwa, P.S.- Gamharia, District- Madhepura at present resident of Village- Rajpur Maliya, P.S.- Madhepura (Bharahi), District- Madhepura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Madhuranand Jha

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 19-06-2017 Heard the learned counsel for the petitioners as well as the learned counsel for the opposite party no.2.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Complaint Case No. 202 of 2016 for the offences punishable under sections 323, 341, 498 (A) and 504/34 of the I.P.C.

The complainant has filed this case under sections 498 (A) and other allied sections of the I.P.C and the Dowry Prohibition Act against the father-in-law, mother-in-law, brother-



in-law and the sister-in-law and not against her husband alleging that the father-in-law wants to develop illicit relationship with her and after giving birth of two child they are demanding dowry by way of one she-buffalo and cash of Rs. 50,000/-.

Submission is of false implication and that there is dispute of share and for that the complaint has filed this false case, no offence as alleged is made out against the petitioners, against mother-in-law, brother-in-law and the sister-in-law there is no specific allegation and as such the petitioners deserve sympathetic consideration, the allegation leveled against the father-in-law is not true and is derogatory.

The learned counsel for the opposite party no.2 on the other hand opposes prayer for pre-arrest bail of the petitioners by submitting that the petitioners are torturing the complainant for non fulfillment of demand of dowry.

In the facts and circumstances as stated above, considering the allegation against petitioner no.1, Hirday Rajak, the father-in-law, I am not inclined to grant privilege of pre-arrest bail to him and accordingly his such prayer stands rejected.

But considering that against the rest petitioners there is no specific allegation and as such petitioner nos. 2, 3 and 4, in case of their arrest or surrender within four weeks from the date of



receipt/production of a copy of this order shall 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. A.C.J.M-IV, Madhepura in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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