

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6426 of 2017

Arising Out of PS.Case No. -162 Year- 2016 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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1. Rameshwar Sah, son of Late Kalash Sah,
2. Kanti Devi, W/o Rameshwar Sah, Both resident of Village- Bhelwa, P.S.-
Chhauradano, District- East Champaran, Motihari.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kabita Kumari, W/o Raju Rai, D/o Birendra Prasad, at present resident of
Village- Miscott, P.S.- Motihari, District- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 20-02-2017 Heard learned Counsel for the petitioners and

learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Complaint Case No. 162 of 2016, disclosing offences
under Sections 120(B), 341, 323, 406, 498(A), 504 of the Indian
Penal Code and 3/4 of the D.P. Act.

Basic accusation is of assault on account of non-
fulfillment of dowry demand and ousted the complainant from
her matrimonial home.

Learned counsel for the petitioners has submitted
that petitioners, happen to be father-in-law and mother-in-law of



the informant, are innocent and have not committed any offence in any manner. No specific allegation of demand of dowry has been leveled against these petitioners. In fact, the entire prosecution story is concocted and frivolous and arises on account of a matrimonial dispute between a husband and wife. The husband of the informant is said to be a government teacher and he is quite competent to lead his conjugal life and met the family expenses out of his own income. There is no role of these petitioners in the alleged occurrence. Hence, these petitioners deserve the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub- Divisional Judicial Magistrate, Raxaul, East Champaran, Motihari in connection with Complait Case No. 162 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

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(Arvind Srivastava, J)

