

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18289 of 2019**

Arising Out of PS. Case No.-537 Year-2018 Thana- BHAGWAN BAZAR District- Saran

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1. LAXAMAN PRASAD @ LAXAMAN PRASAD AGRAHARI, Male, aged about 60 years, Son of Late Narayan Prasad Agrahari
2. Sunita Devi Female, aged 55 years, Wife of Laxaman Prasad Agrahari  
Both Resident of Mohalla - Mahabiri Path, Babunia More, P.S.- Siwan Town, District - Siwan.

... .. Petitioners

Versus

1. The State of Bihar Bihar
2. Kumari Asmita female, aged about 25 years, Wife of Sachin Saurabh  
Daughter of Keshaw Prasad Gupta, Resident of Mohalla - Nai Bazar  
Khanua, Post Office - Chapra, P.S.- Bhagwan Bazar, District - Saran at  
Chapra.

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr.Raghav Prasad  
For the Opposite Party/s : Mr.Manoj Kumar

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      04-04-2019                      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

The petitioners are father-in-law and mother-in-law of the informant who are seeking anticipatory bail in connection with Bhagwan Bazar P.S. Case No. 537/2018 registered under Sections 498(A), 323, 387, 313, 511 and 379 of the Indian Penal Code and  $\frac{3}{4}$  of the Dowry Prohibition Act.

Learned counsel for the petitioners submits that these two petitioners have been made accused on flimsy allegations only because they happened to be the father-in-law and mother-



in-law of the informant. It is submitted that there is a matrimonial dispute between the son of the petitioners and the informant, however it is also informed that son of the petitioner has filed a suit for restitution of conjugal rights which is pending consideration.

Learned counsel submits that in fact in the F.I.R. apart from husband altogether nine other family members were made accused. Out of the nine family members six of them have already been granted privilege of anticipatory bail by the same impugned order. It is thus submitted that it is a case of false implication of near relatives of the husband just to settle the dispute and to harass them.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner as according to him there are allegations against these petitioners also of indulging in demand of dowry.

Considering the facts and circumstances of the case wherein it transpired that these two petitioners are the father-in-law and mother-in-law respectively and the submission is that there are general and omnibus allegations against all of them and six similarly situated accused have been granted anticipatory bail by the impugned order itself, in the event of their



arrest/surrender before the court below within a period of four weeks, let the above-named petitioners be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned C.J.M. Chapra, in connection with Bhagwan Bazar P.S. Case No. 537/2018, subject to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

**(Rajeev Ranjan Prasad, J)**

Rajeev/-

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