

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75351 of 2018

Arising Out of PS. Case No.-34 Year-2018 Thana- MAHILA PS District- East Champaran

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1. Chandrawati Devi, W/o- Late Ram Kripa Singh,
 2. Simpal @ Rani, D/o- Late Ram Kripa Singh, Both are Resident of Village- Shyampur, Barwa, P.S.- Sangrampur, District- East Champaran.

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Priyanka Singh @ Guriya D/o- Sudama Singh, Resident of Village- Chota Bariyarpur, Ward No. 37, P.S. Chhatauni, District- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bal Govind Sharma

For the Opposite Party/s : Mr.Sri Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-01-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners, being the mother and the sister of the husband of the informant, are apprehending their arrest in a case registered for the offences punishable under Sections 341, 342, 323, 504, 313, 406, 498A/34 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

The prosecution case as per the written report of Priyanka Singh @ Guriya submitted to the Station House Officer of Mahila P.S., Motihari is to the effect that the informant's marriage was performed with Guddu Singh on 13.07.2016, but subsequent to the marriage, there was demand of Rs.Two lakhs and an Alto car as dowry was made and for non-fulfillment of the same, the torture was inflicted upon the



informant. It is specifically alleged that on 20.05.2017, the husband, mother-in-law and the sister-in-law (Nanad) of the informant assaulted the informant very badly, particularly, on the abdominal part, as a result, her pregnancy got terminated. Thereafter, the informant was being treated at the behest of the father of the informant at Sadar Hospital, Motihari. The matter was reconciled in pursuance to the effort taken by the father of the informant but thereafter, again they started torturing the informant and ultimately on 29.06.2018, again the accused persons including the petitioners assaulted the informant and after snatching all her belongings, the informant was driven out from the matrimonial house.

It is submitted by learned counsel for the petitioners that the thrust of accusation is against the husband of the informant, who has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 30.11.2018 passed in Cr. Misc. No. 71060 of 2018. It is further submitted that the accusation against the petitioners is omnibus and general and the petitioners have been roped in the present case simply because they happen to be mother and sister of the husband of the informant.

Learned APP submits that the accusation is specific



against the petitioners.

Considering the fact that the accusation of pregnancy getting terminated due to the assault but there is no medical opinion in support of such accusation on record as the Sessions Judge order does not reflect as such, moreover, the thrust of accusation is against the husband of the informant, who has been granted anticipatory bail and the petitioners being old lady and unmarried girl, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Motihari Mahila P.S. Case No. 34 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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