

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28970 of 2019

Arising Out of PS. Case No.-1530 Year-2015 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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1. BIPIN BIHARI @ LALA @ LAL S/o Late Chandra Resident of Manpur Gopalganj Road, near Kachi Sangat, P.S.- Mufassil, District- Gaya.
 2. Sakuntala Devi W/o Bipin Bihari @ Lala Resident of Manpur Gopalganj Road, near Kachi Sangat, P.S.- Mufassil, District- Gaya.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR.
2. Babita Devi W/o Rakesh Raj @ Rakesh Kumar, D/o Ram Vilash Turia Mohalla- Warishliganj, P.S.- Warishliganj, District- Nawada.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjani Kumar Jha, Advocate
For the Opposite Party/s : Mr. Mukeshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 05-08-2019 Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Complaint Case No. 1530 of 2015, registered for the offences punishable under Sections 323, 406, 498A and 504 of the Indian Penal Code 3/ 4 of Dowry Prohibition Act.

Petitioner happen to be parents-in-law of the complainant they are said to have tormented the complainant over and drove her out of her matrimonial home over said demand.



It is submitted by the learned counsel for the petitioners that petitioners have no concern with the aforesaid occurrence. They happen to be parents-in-law of the complainant. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Earlier to case under hand, complainant has lodged complaint case No. 679 of 2009 against the petitioners under Section 498A and Section 3/4 of Dowry Prohibition Act which ended in acquittal of the petitioners by the learned lower Court and said acquittal order has been confirmed by the Hon'ble Court. Since then complainant has not been residing in her matrimonial house. The witness Jageshwar Prasad in the Maintenance Case filed under Section 125 of the Cr.P.C. by the complainant has stated that complainant has been living in her maternal home for the last 10-12 years. They have no criminal antecedent.

On the other hand, learned A.P.P. for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two



sureties of the like amount each to the satisfaction of the learned
SDJM, Nawada in connection with Complaint Case No.1530 of
2015, subject to the condition as laid down under Section 438
(2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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