

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30421 of 2019

Arising Out of PS. Case No.-557 Year-2018 Thana- MOHANIYA District- Kaimur (Bhabua)

1. DHARMENDRA KUMAR S/o Late Shyam Narayan Ram Resident of village Lurpurwa, P.S. Mohania, District Kaimur at Bhabua.
2. Shiv Kumari Kunwer W/O Late Shyam Narayan Ram Resident of village Lurpurwa, P.S. Mohania, District Kaimur at Bhabua.
3. Gorakh Ram Son of Late Shyam Naryan Ram Resident of village Lurpurwa, P.S. Mohania, District Kaimur at Bhabua.
4. Poonam Devi Wife of Babloo Ram Resident of village Lurpurwa, P.S. Mohania, District Kaimur at Bhabua.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 08-05-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Mohania P.S. Case No. 557 of 2018, Gr. No. 2353 of 2018 registered for the offences punishable under Sections 498 (A), 34 of the Indian Penal Code.

Petitioners Dharmendra Kumar and Gorakh Ram happen to be brother-in-law (Devar), petitioner No. 2 Shiv Kumari Kunwer mother-in-law and petitioner No.4 Poonam Devi married sister-in-law of the informant. They are said to have not taken



care of the informant and her children. Petitioner No.2 usurped the money sent to her by her husband. They did not deposit Rs. 30,000/- taken from the group of ladies in the name of the informant and on insistence to deposit the same they assaulted the informant and drove her out of her marital house.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have no concern with the aforesaid money. They have been falsely implicated in this case. They never assaulted the informant or drove her out of the marital home. As a matter of fact, husband of the informant deposit the money in the account of the informant regularly and it is the informant who has taken the money from the group of ladies and is solely liable to pay the same. Petitioners have no concern with the payment of aforesaid money. Allegation against the petitioners is not specific rather general and omnibus in nature. They happen to be in-laws of the informant. They have no criminal antecedent.

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 learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Mohania P.S. Case No. 557 of 2018, Gr. No. 2353 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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