

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36012 of 2019

Arising Out of PS. Case No.-100 Year-2019 Thana- KUCHAIKOTE District- Gopalganj

1. ASHESHAR SAH Son of Late Manager Sah Resident of Village- Bhagouna, P.O. Musharwa, P.S.- Sathi, District- West Champaran, At present Resident of Road No. 2, R.M.S. Colony, Kankarbagh, P.O.- Lohianagar, P.S.- Kankarbagh, District- Patna-20.
2. Raj Kishore @ Ashish Kishore Son of Asheshar Sah Resident of village- Bhagouna, P.O. Musharwa, P.S.- Sathi, District- West Champaran, At present Resident of Road No. 2, R.M.S. Colony, Kankarbagh, P.O.- Lohianagar, P.S.- Kankarbagh, District- Patna-20.
3. Sushila Devi Wife of Asheshar Sah Resident of village- Bhagouna, P.O. Musharwa, P.S.- Sathi, District- West Champaran, At present Resident of Road No. 2, R.M.S. Colony, Kankarbagh, P.O.- Lohianagar, P.S.- Kankarbagh, District- Patna-20.
4. Narendra Sah @ Nagendra Sah son of Ram Lal Sah Resident of Village- Singhpur, P.S.- Sathi, District- West Champaran. (Bihar).

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Smt. Rashmi Priya Wife of Nawal Kishore Kumar, Daughter of Sri Akhileshwar Kumar Prasad Resident of village and P.O.- Rampur Daud, P.S.- , Kuchaikot, District- Gopalganj, At present Asstt. Manager- State Bank of India Branch Mursan Gate, Ram Nagar Colony, Hathras (U.P.), Pin Code- 204101.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lakshmi Kant Sharma
For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 13-09-2019 This application, for grant of anticipatory bail, arises out of Kuchaikot P.S. Case No. 100 of 2019, disclosing offences under Sections 498(A), 323, 406, 354 (B), 504, 506/34 of the Indian Penal Code.

Petitioner happens to be father in law, brother in law,



mother in law and uncle in law (fufa) of opposite party no. 2 and allegation against them is of subjecting the opposite party no. 2 to cruelty and assaulting her in connection with demand of dowry and there is also allegation that petitioner no. 2 tried to misbehave with her.

Submission of learned counsel for the petitioners is that it is a case of incompatibility between the husband and wife, in which, the entire family members have been dragged and out and out false and fabricated allegations have been levelled against these petitioners, who are in laws of the informant – opposite party no. 2 and both petitioner and informant are in service in two different states and as informant does not want to live with her husband, this false case has been lodged by her.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -VII, Gopalganj, in



connection with Kuchaikot P.S. Case No. 100 of 2019, subject
to the condition laid down under Section 438 (2) of the Code of
Criminal Procedure.

(Vinod Kumar Sinha, J)

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