

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2324 of 2019

Arising Out of PS. Case No.-320 Year-2018 Thana- GOGRI District- Khagaria

1. Munsii Choudhary @ Bir Prakash Choudhary @ Bir Prakash Jaishwal Son of Late Rajendra Prasad Choudhry Resident of Village- Chhotichack, P.S.- Gogri, District- Khagaria.
2. Renu Devi @ Renu Jaiswal Wife of Munsii Choudhry @ Bir Prakash Choudhry @ Bir Prakash Jaishwal Resident of Village- Chhotichack, P.S.- Gogri, District- Khagaria.

... .. Appellants.

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Bharat Bhushan, Adv.
For the Informant	:	Mr. Rajesh Kumar, Adv.
For the Respondent/s	:	Mr. Sadanand Paswan, Special P.P.

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 19-06-2019 Heard learned counsel for the appellant, learned counsel for the informant and the learned Special Public Prosecutor for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act against the refusal of prayer for bail vide order dated 28.05.2019 passed by learned 1st Additional Sessions Judge, Khagaria in Gogri P.S. Case No. 320 of 2018 registered under Section 498-A of the Indian Penal Code, Section 3/4 of the Dowry Prohibition Act and Section 3(1) (R)(S) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



Appellant no.1 happens to be father-in-law and appellant no.2 is the mother-in-law of the informant. They are said to have drove the informant out of her marital house slating her in the name of her caste over the dowry demand in association of their family members.

It is submitted by learned counsel for the appellants that no such occurrence as alleged ever took place. Appellants have been falsely implicated in the case. Appellants happen to be parents-in-law of the informant and they never made any demand of dowry nor they slated the informant nor drove her out from the marital house. The allegation levelled against the appellants are not specific rather general and omnibus in nature. Appellants have been languishing in custody since 28.05.2019.

Learned Spl. PP for the State and learned counsel for the informant opposed the prayer for bail submitting that the appellants being the parents-in-law of the informant were instrumental in the occurrence, hence they do not deserve bail.

In the facts and circumstances of the case, the above named appellants are directed to be enlarged on bail 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 1st Addl. Sessions Judge, Khagaria
in connection with Gogri P.S. Case No.320 of 2018.

Accordingly, the impugned order is set aside and
appeal is allowed.

(Prakash Chandra Jaiswal, J)

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