

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42996 of 2019

Arising Out of PS. Case No.-39 Year-2019 Thana- BISHWAMBHARPUR District-
Gopalganj

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1. Anil Chauhan, son of late Siobachan Chauhan,
 2. Most. Shanti Devi, wife of late Siobachan Chauhan, both resident of village-
Tirbirawa, P.S.- Gopalganj, District- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Saroj Devi, d/o Shailendra Chauhan, resident of village- Vijaipur, P.S.-
Vishambharpur, District- Gopalganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhramveer, Advocate
For the State	:	Mr. Prem Kumar Jha, APP
For Opposite Party No.2	:	Mr. Jitendra Kr. Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 16-11-2019

Heard learned counsel for the petitioners; learned APP
for the State and learned counsel for the opposite party no. 2.

2. The petitioners apprehend arrest in connection with
Vishambharpur P.S. Case No.39 of 2019 dated 14.05.2019
instituted under Sections 341, 323, 498-A/34 of the Indian Penal
Code and Section 3/4 of the Dowry Prohibition Act.

3. The petitioners are husband and mother-in-law,
respectively, of the opposite party no. 2.

4. The allegation against the petitioners is of
demanding dowry, assaulting and torture.

5. Learned counsel for the petitioners submitted that
they are ready to keep the opposite party no. 2, but she is not



ready to come. It was further submitted that the allegation of assault in the house of the opposite party no. 2 cannot be believed.

6. Learned APP and learned counsel for the opposite party no. 2 submitted that the stand taken of keeping the opposite party no. 2 by the petitioners is an eye wash. It was submitted that earlier also opportunity was given, but the petitioners did not take the opposite party no. 2. Learned counsel submitted that the allegation of demand of dowry and assault of the opposite party no.2 cannot be disbelieved at this stage and in any view of the matter, the petitioners do not deserve the privilege of pre-arrest bail.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to allow the prayer of the petitioners for pre-arrest bail.

8. Accordingly, the application stands dismissed.

9. The interim protection of no coercive steps against the petitioners given by order dated 11.07.2019 stands vacated.

(Ahsanuddin Amanullah, J)

J. Alam/-

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