

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44186 of 2019**

Arising Out of PS. Case No.-16 Year-2019 Thana- MAHILA P.S. District- Kishanganj

1. GITA DEVI Wife of Ganesh Sah Resident of village Gachhpara Telibasti, P.S. and Distt.- Kishanganj.
2. Ganesh Sah Son of Late Dinbandhu Sah Resident of village Gachhpara Telibasti, P.S. and Distt.- Kishanganj.
3. Arjun Sah @ Arjun Kumar Sah Son of Ganesh Sah Resident of village Gachhpara Telibasti, P.S. and Distt.- Kishanganj.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Ram Prawesh Kumar
		Mr. Rajeev Ranjan
For the Opposite Party/s :		Mr.Md. Iftexhar Mahmood
For the Informant :		Mr.Rajnish Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 18-07-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Kishanganj Mahila P.S. Case No. 16 of 2019 for the offence punishable under Sections 341, 323, 323, 498(A), 504 and 506/34 of the Indian Penal Code and Section 3/4 of the D.P.Act.

Petitioner No.1 is mother-in-law, petitioner's No. 2 is father-in-law and petitioner No.3 is brother of the husband of the informant. There is allegation that because the informant's husband had assaulted her when she was pregnant, she had to suffer miscarriage.



Learned counsel appearing on behalf of the petitioners has submitted that there is general allegation against the family members of the husband of the informant of demand of dowry and torture therefor.

Opposing the prayer for anticipatory bail, learned counsel appearing on behalf of the informant, on the other hand, has submitted that, generally, the mother-in-law of a victim, in such case, plays an active role.

Be that as it may, considering the facts and circumstances, in my opinion, case for grant of anticipatory bail is made out. This application is accordingly allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Kishanganj, in Kishanganj Mahila P.S. Case No. 16 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their



part to appear before the Court on two consecutive occasions,
their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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