

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52207 of 2019

Arising Out of PS. Case No.-20 Year-2019 Thana- TEKARI District- Gaya

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1. Kamlesh Vaidya, son of Late Rudra Nath Vaidya Resident of Village - Bedauli, P.O. - Pura, P.S.- Tekari , District - Gaya.
 2. Leelawati Devi Wife of Kamlesh Vaidya Resident of Village - Bedauli, P.O. - Pura, P.S.- Tekari , District - Gaya.
 3. Dharmendra Vaidya @ Dharmendra Kumar Vaidya Son of Kamlesh Vaidya Resident of Village - Bedauli, P.O. - Pura, P.S.- Tekari , District - Gaya.
 4. Suraj Kumar @ Suraj Kumar Vaidya Son of Dharmendra Vaidya Resident of Village - Bedauli, P.O. - Pura, P.S.- Tekari , District - Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Ramlali Devi, Wife of Late Ajay Vaidya Resident of Village - Bedauli, P.O. - Pura, P.S.- Tekari , District - Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-08-2019 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with
Tekari P.S. Case No.20 of 2019 for the offence punishable under
Sections 498(A), 323, 354(A) and 34 of the Indian Penal Code
and Section 3/4 of the Dowry Prohibition Act.

The allegation against the petitioners on the basis of
First Information Report lodged by the informant, Ramlali Devi
that her husband had died 20 years back and, thereafter, she



started residing at her Naiher. It has further been alleged that daughter of the informant has already been married. It has also been alleged that when informant went to her Sasural then her in-laws started assaulting and abusing her and on 13.12.2018 her brother-in-law tried to outrage her modesty and pulled her sari and other accused persons also assaulted the informant and snatched ear ring.

Mr. Manish Kumar No.2, learned counsel appearing on behalf of the petitioner, submits that petitioners have falsely been implicated in this case with oblique motive and learned counsel further submits that from perusal of the FIR, it would be evident that husband of the informant has died long about 20 years back and marriage has taken place at about 25 years back. Learned counsel further submits that after the death of husband of informant, the informant was given her share and she started living in her Miaka. Learned counsel further submits that the present case has been lodged in order to put pressure upon the petitioners, who are in-laws and other family members of the deceased husband of the informant.

On the other hand, learned counsel appearing for the informant vehemently opposes the prayer for bail and submits that share of the informant has not been given to her and the



petitioners are not allowing the informant to reside in her matrimonial home.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that husband of the informant has died long back and there appears to be property dispute between informant and the petitioners and the petitioners are old in-laws of the informant, as such, I am inclined to grant anticipatory bail to all these petitioners.

Accordingly, all the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Gaya, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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