

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57010 of 2019

Arising Out of PS. Case No.-57 Year-2019 Thana- MAHILA P.S. District- Kaimur (Bhabua)

1. Kavita Devi, Aged about 24 years, Female, Wife of Amresh Kumar, Resident of Village Dullahpur, Harnathpur, P.S. Mohania, District Kaimur (Bhabua).
2. Usha Devi, Aged about 32 years, Female, Wife of Munna Ram, Daughter of Rama Shankar Ram, Resident of Village Dullahpur, Harnathpur, P.S. Mohania, District Kaimur (Bhabua), At Present Resident of Village Bagadhi, P.S. Ramgarh, District Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Krishna Prasad Singh, Senior Advocate Mr. Kumar Sunil, Advocate
For the State	:	Mr. Ramchandra Sahni, APP
For the Informant	:	Mr. Ravi Shankar Sahay, Advocate Mr. Chandra Mohan Jha, Advocate Mr. Arvind Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 13-09-2019 Heard both sides.

The petitioners apprehend their arrest in Mahila (Bhabua) P.S. Case No.57 of 2019, registered under Sections 498A, 341, 323, 506, 313 and 34 of the Indian Penal Code as well as under Sections 3/4 of the Dowry Prohibition Act.

The informant alleged that she was married with Kamlesh Kumar on 10.05.2018 and went to her in laws house. She further alleged that after sometime, all the accused persons began to abuse and assault her due to non-fulfillment of additional demand of Swift Dezire Car. The accused persons



also administered medicine causing her miscarriage of two months' foetus and ultimately on 21.06.2019 the informant was driven out from her matrimonial house.

Learned counsel for the petitioners submits that petitioner no.1 is sister-in-law (Gotni) and petitioner no.2 is married sister-in-law (Nanad) of the informant. They have no manner of concern with the family affairs of the informant and her husband. The husband of the informant is a Junior Engineer working in Jharkhand State. The informant made omnibus and general allegation against all the family members including her husband. It is submitted that father-in-law and mother-in-law of the informant have already been granted anticipatory bail by order dated 09.09.2019, passed in Cr. Misc. No.56962 of 2019. the case of the petitioners stands on the better footing.

The learned counsel for the informant as well as the learned Additional Public Prosecutor vehemently opposed the prayer for anticipatory bail and submits that process under Section 82 has already been issued.

It appears that the case was registered on 17.07.2019 and the police took process under Section 82 but the execution report of process under Section 82 has not been submitted nor any process under Section 83 has been issued.



Having considered the facts aforesaid and the nature of allegations made against the petitioners, let petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be enlarged 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 Sub-divisional Judicial Magistrate, Kaimur (Bhabua) in connection with Mahia (Bhabua) P.S. Case No.57 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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