

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62673 of 2019

Arising Out of PS. Case No.-36 Year-2019 Thana- MAHILA PS District- East Champaran

1. DR. CHANDRA MOHAN KUMAR VERMA @ CHANDRA MOHAN KUMAR VERMA Son of Late Nagendra Prasad Verma Resident of Village-Pachpakri, P.S.-Dhaka, District-East Champaran.
2. Smt. Kalyani Verma Wife of Dr. Chandra Mohan Kumar Verma @ Chandra Mohan Kumar Verma Resident of Village-Pachpakri, P.S.-Dhaka, District-East Champaran.
3. Rupam Verma @ Rupam Kumari Verma Daughter of Chandra Mohan Kumar Verma @ Chandra Mohan Kumar Verma Resident of Village-Pachpakri, P.S.-Dhaka, District-East Champaran.
4. Rupesh Kumar Shrivastav @ Anu Jee Son of Late Rajeshwari Prasad Resident of Mohalla-Chhatauni (Khuda Nagar), P.S-Chhatauni, District-East Champaran.
5. Priti Shrivastav @ Priti Wife of Rupesh Kumar Shrivastav @ Anu Jee Resident of Mohalla-Chhatauni (Khuda Nagar), P.S-Chhatauni, District-East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Ankita Sinha D/o Hemant Kumar Sinha Resident of Mohalla-New Chandmari, near Lal Bangla, P.S-Motihari Town, District-East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar
For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 18-10-2019 Heard Mr. Krishna Prasad Singh, learned senior counsel for the petitioners, Mr. Krishnakant Singh, learned counsel for the informant and learned APP.

Petitioners apprehend their arrest in Motihari Mahila P.S. Case No.36 of 2019 registered under Sections 341, 342, 323, 354, 354A, 406, 328, 498A and 34 of the Indian Penal



Code and under sections 3/4 of the D.P. Act.

The informant lodged the case against her husband and other in-laws and alleged that the accused persons due to non-fulfillment of additional demand of dowry subjected her to all sorts of mental and physical torture and also administered Alprazolam medicine and injection which is used for treatment of insane person. It is further alleged that her brother-in-law Rupesh Kumar Srivastav tried to outrage her modesty.

Learned senior counsel for the petitioners submits that the petitioners are father-in-law, mother-in-law, married sisters-in-law and brother-in-law of the informant. It is submitted that the informant made omnibus and general allegations of additional demand of dowry and torture. The husband of the informant is an MBBS doctor. The marriage was solemnized on 01.05.2015. According to the allegations made by the informant, the informant went to her parents' house in the month of December, 2018 but the informant filed this case only on 29.06.2019. It is further submitted that the husband of the informant filed divorce case. When notice was published in the daily newspaper, she came to know about the institution of divorce case and filed present case implicating the entire family members. It is submitted that the anticipatory bail petition of the



husband of the informant is pending in this court.

Mr. Krishnakant Singh, learned counsel for the informant and learned APP, however, vehemently oppose the prayer for anticipatory bail and submit that there is allegation that all the accused persons were administering Alprozolam medicine and injection to the informant and the informant was also taken to Ranchi for treatment. The accused persons were bent upon to make the informant insane and that is why they all subjected her to all sorts of torture. The informant also made specific allegation against Rupesh Kumar Srivastav @ Anu that he made an attempt to outrage her modesty.

From perusal of the F.I.R., it appears that the informant gave written report on 29.06.2019 naming her husband and other in-laws as accused in the case. She made omnibus and general allegations against all the accused persons that they were administering her Alprozolam medicine and injection and the accused persons subjected her to all sorts of physical and mental torture but it appears that no specific allegation is made against the father-in-law, mother-in-law and sisters-in-law of the informant. The informant left the house of her husband in the month of December, 2018 itself. She lodged the case only after six months from the date of leaving her in-



laws' house whereas the husband of the informant filed divorce case being Matrimonial Case No.35 of 2019 on 19.01.2019. When the informant after issuance of notice did not appear, the notice was published in the daily newspaper and it appears that only thereafter the informant filed the present case.

Having considered the facts and the nature of allegations made against the petitioners and the fact that the petitioners are father-in-law, mother-in-law, married sisters-in-law and brother-in-law of the informant, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sikrahana at Dhaka, East Champaran in connection with Motihari Mahila P.S. Case No.36 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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