

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3831 of 2020

Arising Out of PS. Case No.-366 Year-2019 Thana- BHORE District- Gopalganj

1. AMIT SHARMA Son of Binod Sharma Resident of Village- Khjurha Mishr, P.S.- Bhore, District- Gopalganj.
2. Binod Sharma Son of Late Dhur Lohar Resident of Village- Khjurha Mishr, P.S.- Bhore, District- Gopalganj.
3. Rambha Devi Wife of Binod Sharma Resident of Village- Khjurha Mishr, P.S.- Bhore, District- Gopalganj.
4. Meena Kumari Daughter of Binod Sharma Resident of Village- Khjurha Mishr, P.S.- Bhore, District- Gopalganj.
5. Renu Devi Wife of Awanid Sharma Resident of Village- Khjurha Mishr, P.S.- Bhore, District- Gopalganj.
6. Awanid Sharma Son of Binod Sharma Resident of Village- Khjurha Mishr, P.S.- Bhore, District- Gopalganj.
7. Reena Devi Wife of Anand Sharma Resident of Village- Khjurha Mishr, P.S.- Bhore, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Devi Wife of Sandeep Sharma @ Sanjeet Kumar Sharma Resident of Village- Khajuraha Mishr, P.S.- Bhore, District- Gopalganj. At present daughter of Surendra Sharma, Resident of Village- Nandpur, P.S.- Khampar, District- Deoriya (Uttar Pradesh).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh
For the Opposite Party/s : Mr. Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-01-2020 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Bhore P.S. Case No. 366 of 2019 for the offence registered under Sections 341, 323, 498A, 504 and 34 of the Indian Penal



Code and Sections $\frac{3}{4}$ of the Dowry Prohibition Act.

The allegation is regarding the accused persons including the petitioners herein and the husband of the opposite party no. 2 having tortured the informant on account of non-fulfillment of the demand for dowry.

The learned counsel for the petitioners has submitted that without any rhyme or reason all the family members of the husband of the opposite party no. 2 have been made accused in the present case inasmuch as the petitioner no. 1 is the brother-in-law of the opposite party no. 2, petitioners no. 2 and 3 are father-in-law and mother-in-law of the opposite party no. 2, petitioners no. 4 & 5 are the sister-in-law of the opposite party no. 2, petitioner no. 6 is the brother-in-law of the opposite party no. 2 and petitioner no. 7 is the married sister-in-law of the opposite party no. 2. It is further submitted that the petitioners are having clean antecedents and they do not have any complicity in the matter, and if at all anyone is having complicity in the matter, it might be the husband of the informant, namely, Sandeep Sharma.

Per contra, the learned A.P.P. for the State Shri Ashok Kumar has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case,



considering the submissions of the learned counsel for the parties coupled with the fact that the petitioners are family members of the husband of the informant and have got nothing to do with the alleged occurrence, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail.

Accordingly, the petitioners, above named, are directed to be released on anticipatory bail in the event of their arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Bhorey P.S. Case No. 366 of 2019 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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