

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12793 of 2020

Arising Out of PS. Case No.-108 Year-2019 Thana- VIJAYEPUR District- Gopalganj

PARWATI DEVI, aged about 45 years, Male, Wife of Om Prakash Kushwaha,
Resident of Village - Tilak Dumar, P.S.- Bhorey, District- Gopalganj
... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner	:	Mr. Harendra Prasad, Adv.
For the State	:	Mr. Nagendra Prasad, APP
For the Informant	:	Mr. Dharamveer, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 02-07-2020 Heard Mr. Harendra Prasad, Learned counsel appearing on behalf of the petitioner, Mr. Nagendra Prasad, learned Additional Public Prosecutor, and Mr. Dharamveer, learned counsel appearing for the informant, through video conferencing.

The petitioner seeks pre-arrest bail in connection with Vijaipur P.S. Case No. 108 of 2019, registered under Sections 498A, 406, 376, 120B and 34 of the Indian Penal Code.

The accusation is that the complainant/informant, Fulmati Devi, settled the marriage of her daughter with Rahul Kushwaha, son of Om Prakash Kushwaha of village Tilak Dumar, P.S. Bhore, district Gopalganj, and after performing the ring ceremony, the date of marriage was fixed on 20.11.2018. Before the said date, Rahul Kushwaha came at her house and



accompanied her daughter for marketing and her daughter returned after ten days, then, her daughter narrated her that Rahul Kushwaha forcibly committed rape on pretext that marriage has already settled. Before eleven days of marriage, Raju Kushwaha, the elder brother of Rahul Kushwaha, sent the message for demand of rupees five lakhs and Bolero vehicle saying that aforesaid cash and vehicle is being given by other party.

Submission is that petitioner is mother of Rahul Kushwaha with whom marriage of the daughter of the complainant/informant said to be settled and she had no criminal history. Further, submission is that it would appear from the first information report that no specific allegation has been made against the petitioner about demand of dowry before performance of the marriage.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Vijaipur P.S. Case No. 108 of 2019 shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, IV,



Gopalganj, or the successor Court subject to the conditions as
laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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