

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8486 of 2020

Arising Out of PS. Case No.-670 Year-2017 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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1. PRADEEP SINGH S/O Chanar Singh Resident of Village - Bakhari, Hemu Chhapara, P.S.- Baikunthpur, Dist.- Gopalganj.
 2. Maya Devi W/O Pradeep Singh Resident of Village - Bakhari, Hemu Chhapara, P.S.- Baikunthpur, Dist.- Gopalganj.
 3. Savita Devi W/O Vijay Singh Resident of Village - Bakhari, Hemu Chhapara, P.S.- Baikunthpur, Dist.- Gopalganj.
 4. Vijay Singh S/O Pradeep Singh Resident of Village - Bakhari, Hemu Chhapara, P.S.- Baikunthpur, Dist.- Gopalganj.
 5. Raju Singh S/O Pradeep Singh Resident of Village - Bakhari, Hemu Chhapara, P.S.- Baikunthpur, Dist.- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Puja Devi W/O Rakesh Singh D/o Kameshwar Singh, Resident of Village - Bakhari, Hemu Chhapara, P.S.- Baikunthpur, Dist.- Gopalganj. Residing at Village - Munja, P.O.- Matiyari, P.S.- Baikunthpur, Dist.- Gopalganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Pratap Singh
For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 23-06-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioners and
Shri Mukeshwar Dayal, the learned APP for the State.

The petitioners apprehend their arrest in



connection with Complaint Case No. 670 of 2017, giving rise to Trial No. 1316 of 2019 for the offence punishable under Sections 498A/34 of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioners herein and the husband of the victim girl having engaged in torturing the victim girl on account of non-fulfillment of demand for dowry. The petitioner No.1 is stated to be the father-in-law, petitioner no.2 is the mother-in-law, petitioner no.3 is the sister-in-law and the petitioners no. 4 & 5 are stated to be the brothers-in-law of the victim lady.

The learned counsel for the petitioners has submitted that the petitioners are living separately and if any body is having any complicity in the matter, it is the husband of the victim girl and only after the said husband of the victim lady has filed a divorce case before the learned court below, the present case has been falsely lodged against the petitioners herein and others. It is further submitted that the petitioners are innocent, are having a clean antecedent and have been falsely implicated in the present case.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that the



petitioners are in-laws of the victim girl and a general and omnibus allegation has been levelled against them, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioners, above named, are directed to be released on anticipatory bail on furnishing bail- bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Gopalganj, in connection with Complaint Case No. 670 of 2017, giving rise to Trial No. 1316 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

It is, however, made clear that the grant of bail to the petitioners herein shall not be construed to be having any precedentiary value as far as consideration of the case of the husband of the victim girl for grant of bail is concerned.

(Mohit Kumar Shah, J)

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