

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11452 of 2020

Arising Out of PS. Case No.-63 Year-2019 Thana- MAHILA P.S. District- Saran

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1. GYANTI DEVI W/o Raj Kumar Sharma Resident of Village - Badarjimi, P.S.- Ekma, Distt.- Saran.
 2. Raj Kumar Sharma Son of Late Tota Sharma Resident of Village - Badarjimi, P.S.- Ekma, Distt.- Saran.
 3. Rahul Sharma Son of Raj Kumar Sharma Resident of Village - Badarjimi, P.S.- Ekma, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 16-09-2020 This matter is taken up for consideration through Video Conferencing under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in Mahila P.S. Case No. 63 of 2019, registered for the offences punishable under Sections 341, 323, 498(A), 494, 504, 506 and 34 of the Indian Penal Code and section 3/4 of the Dowry Prohibition Act.

Prosecution case in brief is that informant was



married with Rahul Sharma petitioner no. 3 in the year 2014. After marriage, the petitioners started demanding dowry of RS. 50,000/- and on 05.05.2019 all the accused persons ousted her from her matrimonial house and threatened to kill her and it is further alleged that Rahul Sharma performed second marriage.

It is submitted that petitioners have been falsely implicated in this case. There is general and omnibus allegation. Petitioner no. 1. is mother-in-law, petitioner no. 2 is father-in-law and petitioner no. 3 is husband of the informant. The informant had earlier filed a complaint case before the C.J.M. Chapra with allegation that the accused persons used to demand cash of Rs. One lakh and for this on 29.05.2018, the accused persons have ousted her from the matrimonial house and she is living at her parental house. In the complaint case, on 01.08.2019, the husband of the informant had filed a petition that he is ready to keep his wife (informant) with honour and dignity, but the informant was not ready to go with the petitioner no. 3, thereafter, the present case has been filed. Petitioner no. 3 has not performed second marriage.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of eight weeks from the date of



receipt/production of a copy of this order, are directed to 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, Saran, Chapra in connection with Mahila P.S. Case No. 63 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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