

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11057 of 2020

Arising Out of PS. Case No.-836 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Anil Mistri @ Anil Kumar, aged about 60 years, Gender- Male, Son of Late Ram Jatan Sharma
 2. Mina Devi, aged about 55 years, Gender-Female, W/o Anil Mistri @ Anil Kumar, both are residents of Village - Barhiya, P.S.- Sarmera, Dist.- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ritu Kumari, W/o Gaurav Kumar, Resident of Village - Barhiya, P.S.- Sarmera, Dist.- Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap, Advocate
For the Opposite Party/s : Mrs.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Sarmera P.S. Case No. 13 of 2013 registered for the offences punishable under Sections 323, 324, 395, 34 of the Indian Penal Code.

On 18.12.2018, Ritu Kumari filed complaint case no.836 of 2018 in the Court of learned A.C.J.M., Barh, Patna stating that on 21.05.2015, her marriage was solemnized with Gaurav Kumar as per Hindu rites. At the time of marriage, her



father gifted cash Rs.2 lac fifty thousand, articles worth of Rs. one lac and one motorcycle. After six months of marriage, on 15.12.2012, her husband and father-in-law Anil Mistri asked her to bring Rs. one lac as a dowry from her parents. Otherwise, they could not keep her on protest the accused persons assaulted and ousted her. In spite of that she was living in her matrimonial house. On 14.02.2016, she gave birth of his child in her maik, on 18.08.2016, her child died due to weakness but the accused persons did not care her. A Panchayati was held and in the month of October, 2016, her husband took away her. She was residing in her Maik on 15.08.2018, she herself went to her matrimonial house and requested to her husband, mother-in-law, father-in-law, Bhaisur but they assaulted her and ousted her from the house on 16.08.2018 on 04.09.2018. On 06.12.2018, her husband came to her maik and assaulted her and fled away from there. He stated that if she comes to his house then he would kill her on 16.12.2018.

Learned counsel for the petitioners submits that there is no specific allegation against the petitioners. Even in the S.A., the complainant has not attributed any specific overt act against the petitioners. Learned counsel for the petitioners further submits that the petitioners are in-laws.



In the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Barh, Patna in connection with Complaint Case No. 836 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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