

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24413 of 2020

Arising Out of PS. Case No.-130 Year-2019 Thana- SIDHWALIYA District- Gopalganj

1. NIPU DEVI Wife of Vikas Rai Resident of Village - Bakhraur, P.S.- Sidhwalia, District - Gopalganj.
2. Rinku Devi @ Rinku Kumari Wife of Prakash Rai Resident of Village - Bakhraur, P.S.- Sidhwalia, District - Gopalganj.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Heena Devi Wife of Avinash Rai Resident of Village - Bakhraur, P.S.- Sidhwalia, District - Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Raju Prasad
For the Opposite Party/s	:	Mr. Pawan Kumar Chaurasiya
For the informant	:	Mr. Ajay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-10-2020 Heard learned Counsel for the petitioners, learned Counsel for the informant and learned Additional Public Prosecutor representing the State, through Video Conferencing.

The petitioners apprehend arrest in connection with Sidhwalia Police Station Case No. 130 of 2020, registered for the offences punishable under Sections 498-A/341/323/325/307/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The allegation against the petitioners is that the petitioners, along with other co-accused persons, demanded dowry from the informant and due to non-fulfillment of the



same, they ousted the informant from her matrimonial home.

Learned Counsel for the petitioners submits that the petitioners have unnecessarily been dragged in this case with oblique motive. He further submits that the petitioners are the sisters-in-law (gotni) of the informant and they are residing separately from the husband of the informant, who is in Indian Army, posted at present in Galwan and the husband has been made accused in course of investigation and he has been granted bail by learned Court below in ABP No. 984 of 2020. He further submits that the husbands of these petitioners have already been granted bail by this Court in Criminal Misc. No. 67027 of 2019.

On the other hand, learned Counsel for the informant vehemently opposes the prayer for anticipatory bail and submits that the informant is residing in the same house where the petitioners, along with their husbands, are residing; whereas the husband of the informant is posted in Indian Army and the petitioners are not allowing the informant to reside in her matrimonial home. He, thus submits that this Court may direct the petitioners to allow the informant to reside in her matrimonial home in absence of her husband.

After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact



that similarly situated co-accused persons have been granted bail by this Court, I am inclined to grant the petitioners privilege of anticipatory bail subject to the condition that the petitioners shall not commit any offence similar to the offence in which they are at present accused.

This application is allowed.

Accordingly, let the petitioners, above named, be released on bail, in the event of their arrest or surrender before the Court below within a period of six weeks from today, upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Gopalganj, in connection with Sidhwalia Police Station Case No. 130 of 2019.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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