

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29287 of 2020**

Arising Out of PS. Case No.-3 Year-2020 Thana- MOTIHARI TOWN District- East  
Champaran

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1. USHA VERMA @ USHA KUMARI W/o Late Shardanand Prasad R/o Mohalla- Belbanwa, Ward No.22, P.S.- Motihari, Distt- East Champaran
  2. Rajesh Ranjan S/o Late Shardanand Prasad R/o Mohalla- Belbanwa, Ward No.22, P.S.- Motihari, Distt- East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Navin Kr. Srivastava S/o ----- R/o Mohalla- Belbanwa, P.S.- Motihari Town, District- East Champaran.

... .. Opposite Party/s

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**Appearance :**

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|--------------------------|---|--------------------------|
| For the Petitioner/s     | : | Mr.Gyanendra Kumar Singh |
| For the Informant        | : | Mr. Rajan                |
| For the Opposite Party/s | : | Ms. Dr. Indiar, APP      |

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      09-12-2020                      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, counsel for  
the informant and the State.

The petitioners apprehend their arrest in Motihari  
Town P.S. Case No. 03 of 2020, registered for the offences  
punishable under Sections 495, 420 and 34 of the Indian Penal  
Code and section 3/4 of the Dowry Prohibition Act.

Prosecution case in brief is that accused persons have  
cheated the informant and got married with the daughter of



informant after taking huge amount, concealing the fact that son of the petitioner no. 1 was already married with another lady.

Petitioner no. 1 is mother-in-law aged about 71 years and petitioner no. 2 is brother-in-law (Bhaisur). Earlier also, the daughter of informant Priya Rajbansh had filed complaint case bearing Complaint Case No. 2300 of 2018 against these petitioners before the Court of learned Sub-Divisional Judicial Magistrate, Motihari in which these petitioners have been granted bail. Husband and petitioners made several efforts to take her to her matrimonial home. In fact, informant's daughter is not willing to reside with her husband and has filed a maintenance case no. 74 of 2019 before the learned Principal Judge, Family Court, Motihari. The present case has been lodged only with a view to harass the petitioners.

However, counsel for the informant vehemently opposed the bail application and submitted that petitioners have spoiled the life of the daughter of informant concealing the fact that son of petitioner no. 1 was earlier married and also subjected her to all sorts of torture.

Considering the facts aforesaid and the fact that earlier also, the daughter of informant filed case under Section 498 A IPC against these petitioners and they are on bail, 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 Chief Judicial Magistrate, Sadar at Motihari, East Champaran in connection with Motihari Town P.S. Case No. 03 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

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