

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13315 of 2020**

Arising Out of PS. Case No.-3 Year-2019 Thana- MAHILA P.S. District- Bhojpur

1. Mahadeo Chaurasiya Son of Late Ram Nath Chaurasiya Resident of Village - Agarsanda, P.S.- Fefana, District- Baliya (U.P.)
2. Smt. Saroj Devi @ Saroj Devi Wife of Mahadeo Chaurasiya Resident of Village - Agarsanda, P.S.- Fefana, District- Baliya (U.P.)
3. Kumari Priti Chaurasiya @ Priti Chaurasiya D/O - Mahadeo Chaurasiya Resident of Village - Agarsanda, P.S.- Fefana, District- Baliya (U.P.)
4. Kumari Priyanka @ Priyanka Kumari @ Kumari Priyanka Chaurasiya D/O- Mahadeo Chaurasiya Resident of Village - Agarsanda, P.S.- Fefana, District- Baliya (U.P.)
5. Jaiprakash Chaurasiya @ Poonam Chaurasiya Son of Late Ram Nath Chaurasiya Resident of Village - Agarsanda, P.S.- Fefana, District- Baliya (U.P.)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |   |                     |
|----------------------------|---|---------------------|
| For the Petitioner/s       | : | Mr. Mrigendra Kumar |
|                            |   | Mr. Anil Kumar      |
| For the Opposite Party/s : |   | Mr. Lalan Kumar     |

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

4      26-10-2021                      Heard learned counsel appearing on behalf of the petitioners and learned APP appearing on behalf of the State.

The petitioners apprehend their arrest in connection with Bhojpur Mahila P.S. Case No. 03 of 2019 registered for offence punishable under Sections 498(A), 323, 504/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

As per prosecution story in brief the informant who is the father of the victim alleged that he married his daughter with



Rohit Kumar on 13.04.2017. She went to her Sasural and also gave birth to a child but after some time the petitioners and her husband started torturing his daughter and they were subjecting her to all sorts of physical and mental torture. They were demanding Rs. Two lakhs as dowry. The daughter of the informant fell ill and she was complaining of abdominal pain but the accused persons were not getting her treated. When the condition of his daughter deteriorated, the informant brought his daughter on 14.12.2018 and got her treated in the clinic of Dr. O. P. Rajendra but her condition did not improve. Thereafter, the informant get his daughter treated in the clinic of Dr. Amit Kumar Banka who referred her to Big Hospital, Patna. His daughter was hovering between life and death but her husband and other in-laws have no concern and they wanted to marry the petitioner somewhere else after the death of daughter of informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Petitioner nos. 1 and 2 are father-in-law and mother-in-law respectively and allegation against them are general and omnibus. Petitioner no. 3 and 4 are unmarried sisters-in-law of the victim and are preparing for competitive examinations and



there is no specific allegation against the petitioner no. 5, who is relative of the petitioners. It is further submitted that after giving birth to a child she fell ill complaining abdominal pain for which her in-laws provided her proper medical treatment at Balia. The informant runs homeopathy medicine shop and brought her daughter to his house and kept her daughter on homeopathy medicines and when she became critical he took her to BIG hospital, Agamkuan, Patna where he came to know that his daughter was a cancer patient and got her discharged from the hospital. From Annexure-2, discharge slip of Big Hospital, it would appear that victim was under diagnosis for ulcerative colitis and was being discharged on the request of informant. The daughter of the informant was again admitted in Samay Hospital, Saguna More, Patna on 01.03.2019 where she was declared dead.

Learned APP appearing on behalf of the State, vehemently, opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case, let the above named petitioners be released on bail, in the even of their arrest or surrender before the Court below within four weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten



thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Bhojpur at Ara in connection with Bhojpur Mahila P.S. Case No. 03 of 2019 subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

**(Purnendu Singh, J)**

Niraj/-

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