

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6279 of 2022

Arising Out of PS. Case No.-26 Year-2021 Thana- MAHILA P.S. District- Bhagalpur

1. UMA DEVI WIFE OF SRI SAMBHU NATH TIWARI (MOTHER-IN-LAW) R/O VILLAGE- - WARD NO.39, GAUSHALA, P.S.- SAHAYAK, P.S.- KATIHAR, DISTRICT- KATIHAR
2. Gudia Kumari @ Beauti Raani Daughter Of Sri Sambhu Nath Tiwari (Unmarried Nanad) R/O Village- - Ward No.39, Gaushala, P.S.- SAHAYAK, P.S.- KATIHAR, DISTRICT- KATIHAR
3. SEEMA DEVI @ SEEMA TIWARI W/O- ASHOK KUMAR TIWARI (GOTANI) R/O VILLAGE- - WARD NO.39, GAUSHALA, P.S.- SAHAYAK, P.S.- KATIHAR, DISTRICT- KATIHAR
4. ASHOK TIWARI @ AHOK KUMAR TIWARI SON OF SRI SAMBHU NATH TIWARI (BHAISOOR) R/O VILLAGE- - WARD NO.39, GAUSHALA, P.S.- SAHAYAK, P.S.- KATIHAR, DISTRICT- KATIHAR
5. SACHCHIDA NAND TIWARI SON OF SRI SAMBHU NATH TIWARI (DEVER) R/O VILLAGE- - WARD NO.39, GAUSHALA, P.S.- SAHAYAK, P.S.- KATIHAR, DISTRICT- KATIHAR

... .. Petitioner/s

Versus

1. The State of Bihar
2. MAMTA KUMARI @ MAMTA TIWARI D/O- RAJENDRA PANDEY R/O MOHALLA- BHAGAT SINGH ROAD, WARD NO.16, P.S.- NAUGACHHIA, DISTRICT- BHAGALPUR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh
For the Opposite Party/s : Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-03-2022 At the outset, it is submitted by learned counsel for the petitioners that he seeks permission to make correction in the name of petitioner no. 2.

Learned counsel for the petitioners is permitted to make necessary correction in the name of petitioner no. 2.

Heard learned counsel for the petitioners and learned



APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Mahila P.S. Case no. 26 of 2021 instituted for the offence punishable under Sections 323, 341, 498(A), 307 and 34 of the Indian Penal Code as well as Sections 3 and 4 of the Dowry Prohibition Act.

As per allegation in the FIR, petitioners along with their family members have tortured in various ways due to non-fulfillment dowry demand and finally they ousted her after snatching her belongings.

Learned counsel appearing on behalf of the petitioners has submitted that petitioner no. 1 is mother-in-law, petitioner nos. 2 and 3 are sister-in-law and petitioner nos. 4 and 5 are brother-in-law of the informant and have been falsely implicated in this case. They have never demanded any thing from the informant. They have no concern with the daily activity of the informant and her husband and are living separately. The sole responsibility to take care of wife is upon husband of the informant and not against the family members. father-in-law of the informant, namely, Shambhu Nath Tiwari, has already been granted anticipatory bail by the learned lower court.



Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Mahila P.S. Case no. 26 of 2021, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M, Naugachhiya subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

sushma/-

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