

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13966 of 2022**

Arising Out of PS. Case No.-75 Year-2021 Thana- MAHILA PS District- East Champaran

1. DEVILAL RAM Son of Late Banshi Ram Resident of Village- Sawangia, P.S.- Madhuban, District- East Champaran.
2. Prabha Devi Wife of Devilal Ram Resident of Village- Sawangia, P.S.- Madhuban, District- East Champaran.
3. Brajesh Kumar Son of Devilal Ram Resident of Village- Sawangia, P.S.- Madhuban, District- East Champaran.
4. Chandan Kumar Son of Devilal Ram Resident of Village- Sawangia, P.S.- Madhuban, District- East Champaran.
5. Vandana Kumari Daughter of Devilal Ram Resident of Village- Sawangia, P.S.- Madhuban, District- East Champaran.
6. Basdeo Ram Son of Joknath Ram Resident of Village- Sahasi, Jahingra, P.S.- Pipra, District- East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Karandeep Kumar, Adv.  
For the Opposite Party/s : Mr. Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR  
PANDEY**

ORAL ORDER

2      07-07-2022      Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as the learned APP, Mr. Shailendra Kumar for the State assisted by learned counsel for the informant.

At the outset, learned counsel for the petitioners has submitted that the petitioner No. 3, Brajesh Kumar, has been arrested. Therefore, he seeks permission to withdraw this petition on behalf of the petitioner No. 3.



In view of the aforesaid submission, the anticipatory bail petition of petitioner No. 3 is dismissed as withdrawn.

The petitioners apprehend their arrest in connection with Mahila P.S. Case No. 75 of 2021, registered for the offences punishable under Sections 498 A, 494/34 of the Indian Penal Code and 3/4 of the D.P. Act.

As per allegation, the marriage of the informant was solemnized with co-accused Chitranjan Kumar. When she went to her matrimonial house, the accused persons demanded an Apache motorcycle and rupees five lac cash, due to non-fulfillment of the dowry demand they ousted her from the matrimonial house. She, therefore, filed a complaint case No. 2234 of 2019 against the accused persons and that case was compromised. Thereafter, again accused persons demanded rupees three lac cash and due to non-fulfillment of the demand, her husband solemnized his second marriage with one Suman Kumari.

Learned counsel for the petitioners has submitted that the petitioners are the family members of the husband of the informant. They have no concern with dowry demand. Petitioner No. 1 is father-in-law of the informant who is in government service and petitioner No. 2 is mother-in-law of the informant and petitioner Nos. 3 to 5 are sons and daughters of petitioner No. 1. They have no concern with day to day affairs of the couple. The informant has already lodged a complaint case and admittedly there was



compromise in that case.

On the other hand, learned Addl.P.P. and the learned counsel for the informant have opposed the prayer for bail of the petitioners and submitted that earlier the complainant has filed a complaint case against the accused persons.

Considering the above-mentioned facts and circumstances, let the petitioner Nos. 1,2,4,5 and 6, in the event of their arrest or surrender within four weeks before the learned court below, be released 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 learned Sub-Divisional Judicial Magistrate, Sadar at Motihari, East Champaran in connection with Mahila P.S. Case No. 75 of 2021, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

**(Nawneet Kumar Pandey, J)**

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