

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16767 of 2022

Arising Out of PS. Case No.-9 Year-2021 Thana- MAHILA P.S. District- Siwan

1. GULABCHAND Son of Late Bhirgu Rai Resident of village - Rajajipuram, Rambihar Colony, Near Mamaji, Atta Chakki, Police station - Para, District - Lucknow, Uttar Pradesh.
2. Sashikala Devi wife of Gulabchand Resident of village - Rajajipuram, Rambihar Colony, Near Mamaji, Atta Chakki, Police station - Para, District - Lucknow, Uttar Pradesh.
3. Puja Kumari Daughter of Gulabchand Resident of village - Rajajipuram, Rambihar Colony, Near Mamaji, Atta Chakki, Police station - Para, District - Lucknow, Uttar Pradesh.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raj Krishan Jha, Advocate
For the Opposite Party/s	:	Mr. Rana Randhir Singh, APP
For the Informant	:	Mr. Ajay Kumar Tiwari, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-08-2022 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

Learned counsel for the petitioners, at the outset, seeks permission to withdraw the anticipatory bail application with regard to petitioner no. 1 as he was arrested during pendency of the anticipatory bail application.

Permission is accorded.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 498(A) of the Indian Penal Code and Sections 3 and 4 of the Dowry



Prohibition Act.

Learned counsel for the petitioners submits that petitioner nos. 2 and 3 are persons with clean antecedent and are mother-in-law and sister-in-law of the informant and the informant alleges that she was married to Sumit Chand, son of petitioner no. 2 hence brother of petitioner no. 3 on 22.11.2019 and after marriage the accused persons started demanding Rs. 10 lakh by way of dowry, further for non-fulfillment of the dowry demand, the informant was ousted from her matrimonial home.

Learned counsel for the petitioners submits that from bare perusal of allegation as alleged in the FIR, it would manifest that allegations are general and omnibus insofar as it relates to the petitioners, it is next submitted that petitioners are separate in mess and property from the husband of the informant, it is also submitted that the responsibility to keep the wife with dignity and honour is of the husband.

Learned A.P.P. for the State and the learned counsel for the informant vehemently oppose the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioner nos. 3 and 4, in the



event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with (Siwan) Mahila P.S. Case No. 09 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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