

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18524 of 2022

Arising Out of PS. Case No.-84 Year-2021 Thana- MAHILA P.S. District- Bhojpur

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1. Sanjay Kumar S/O Shri Krishna Prasad Shukla Resident Of P 52/9, Kabul Line, Delhi Cantt, P.S.- Moradabad Pahari, District- Delhi
 2. Sanjiv Kumar S/O Sanjay Kumar Resident Of P 52/9, Kabul Line, Delhi Cantt, P.S.- Moradabad Pahari, District- Delhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priya Kumari W/o Rajan Kumar Shukla R/o village- Dhangahi, P.S.- Dhangahi, District- Bhojpur at Ara

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Santosh Kumar
For the Opposite Party/s :	Mr. Abhay Kumar Roy
	Mr. Gajendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 26-09-2022 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 354, 379, 498(A), 506, 323, 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and are father-in-law and brother-in-law of the informant and the informant alleges that she was married to Rajan Kumar Shukla in Year 2020 and during her Bidai, the accused persons including the petitioners refused to accept Wagon-R car as gift and demanded



a Hyundai car or else to take the informant back. It is also alleged that a demand of Rs.15 Lakhs was put forth. It is next alleged that thereafter, somehow the informant was taken to the matrimonial home where the accused persons including the petitioner nos.1 and 2 again demanded Hyundai car and further assaulted and abused her. It is next alleged that on 16.12.2020 when informant was in Delhi, the petitioner nos.1 and 2 used to get frequently intoxicated and behaved inappropriately with her. It is also alleged that victim's husband has illicit relationship with another woman and never appreciates her presence, on which when informant protested, she was assaulted. It is next alleged that she was treated in hospital on 09.08.2021 and thereafter, on 21.08.2021, she was ousted from matrimonial home after taking all her jewellery and making her sign on a blank paper.

The learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case. It is next submitted that petitioner no.1 is the father-in-law of the informant, who is aged about 59 years and till the age of 59 years, he was a person with clean antecedent and all of a sudden, the informant makes him a criminal by alleging that he after drinking behaved with her inappropriately, but does not



specify what inappropriate behaviour was committed by the petitioners. It is also submitted that it has become rampant and fashionable for the wife to implicate the entire family members whenever there is a dispute with the husband. It is next submitted that whatever issues or grievances the informant has that is with the husband and only to coerce the husband into submission, the present false case came to be instituted.

The learned counsel for the informant as well as learned A.P.P. opposes the bail application, but are not able to meet the submission made by the learned counsel for the petitioners that the allegations are general and omnibus in nature and as the informant has not specifically specified that what inappropriate behaviour was committed under intoxication.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Mahila P. S. Case No.84 of 2021, subject to the conditions laid down under Section 438(2) of the



Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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