

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23542 of 2022

Arising Out of PS. Case No.-327 Year-2020 Thana- PIPRA District- East Champaran

1. BABITA DEVI W/o Shankar baitha Resident of Village - Sangrampur, P.s.- Sangrampur, Distt.- East Champaran.
2. Sabita Devi @ Savita Devi W/o Raghubar Baitha Resident of Village - Sahebganj, P.S.- Sahebganj, Distt.- Muzaffarpur.
3. Rina Devi @ Rima Devi @ Sima Kumari W/o Komal Baitha Resident of Village - Sangrampur, P.s.- Sangrampur, Distt.- East Champaran.
4. Musmat Kalawati Kunwar W/o Late Tokhan Baitha Resident of Village - Kudiya, P.S.- Pipra, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-08-2022 Heard the parties.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable under section 341, 323, 506, 498A, 34 of the IPC and section 3/4 of Dowry Prohibition Act.

Allegedly, the petitioners and other accused persons showed cruelty towards the informant due to non-fulfillment of



demand of dowry. It is further alleged that the accused persons sprinkled kerosene oil on her body and tried to burn her. On 12.10.2020, the informant was assaulted and ousted from her matrimonial home.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to enmity and grudge. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. The petitioner nos. 1, 2 and 3 are the married sister-in-law of the informant and the petitioner no.4 is the mother-in-law of the informant. Petitioners have no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioners, let the above named petitioner be released on bail, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs.



25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in Pipra P.S. Case No.327 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

(Anjani Kumar Sharan, J)

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