

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26984 of 2022**

Arising Out of PS. Case No.-44 Year-2021 Thana- MAHILA PS District- Jehanabad

1. DEVENDRA PRASAD @ DEVNANDAN PRASAD SON OF LATE MAHENDRA RAI R/O VILLAGE- DEDHPURA, P.S.- MAHNAR, DISTRICT- VAISHALI AT HAJIPUR
2. INDU DEVI WIFE OF DEVENDRA PRASAD @ DEVNANDAN PRASAD R/O VILLAGE- DEDHPURA, P.S.- MAHNAR, DISTRICT- VAISHALI AT HAJIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 27340 of 2022

Arising Out of PS. Case No.-44 Year-2021 Thana- MAHILA PS District- Jehanabad

RINKU KUMARI Wife of Dhananjay Kumar R/o Village - Nirmalichak, P.S. - Khusroopur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 26984 of 2022)

For the Petitioner/s : Mr.Ashok Kumar Jha, Adv.

For the Opposite Party/s : Ms.Nirmala Kumari, APP

(In CRIMINAL MISCELLANEOUS No. 27340 of 2022)

For the Petitioner/s : Mr.Ashok Kumar Jha, Adv.

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 01-09-2022 Heard learned counsel for the petitioners and learned APP
for the State.

Learned counsel for the petitioners undertakes to remove
the defects within three weeks. In the eventuality of non-



removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered under sections 376, 313, 318, 420, 120B, 498(A) of the IPC and section 4 of Dowry Prohibition Act.

Allegedly, the co-accused Ritesh Kumar Rituraj in conspired manner established sexual relationship with the informant for seven years, got aborted her pregnancy several times and married her. Thereafter, the petitioners made demand of dowry and refused to accept her.

It is submitted by learned counsel for the petitioners that petitioners are innocent and have committed no offence. Petitioners Devendra Prasad and Indu Devi are the father-in-law and mother-in-law of the informant while petitioner Rinku Kumari is the married sister-in-law of the informant. Petitioners have never made any dowry demand and has been falsely implicated in the present case due to grudge. They were unaware of the marriage of their son with the informant. From perusal of F.I.R. itself, it is evident that she never visited her matrimonial house, as such, no specific overt act can be inflicted upon the petitioners. It is pertinent to mention that husband of the informant is already in judicial custody. Petitioners have no



criminal antecedent.

Considering the aforesaid facts and circumstances, since there is no specific overt act against the petitioners, let the petitioners of both the cases, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds 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 connection with Mahila P.S. Case No.44 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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