

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44208 of 2021**

Arising Out of PS. Case No.-21 Year-2020 Thana- KOCHAS District- Rohtas

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1. DINESH TIWARY S/o Late Kailash Tiwary R/o village- Jagdishpur, P.S.- Kochas, District- Rohtas at Sasaram
 2. Prabhawati Devi W/o Dinesh Tiwary R/o village- Jagdishpur, P.S.- Kochas, District- Rohtas at Sasaram
 3. Nirbhay Kumar Tiwary @ Nirbhay Kumar S/o Dinesh Tiwary R/o village- Jagdishpur, P.S.- Kochas, District- Rohtas at Sasaram
 4. Shalini Kumari D/o Dinesh Tiwary R/o village- Jagdishpur, P.S.- Kochas, District- Rohtas at Sasaram

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Singh

For the Opposite Party/s : Mr.Sangeeta Sharma

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

ORAL ORDER

2 12-04-2022 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 for the State.

At the very outset, learned counsel for the petitioner has submitted that petitioner No. 1 who was father-in-law of the deceased has died during pendency of this anticipatory bail petition. As such the anticipatory bail petitioner in his respect has become infructuous.



Accordingly, the anticipatory bail petition in respect of petitioner No. 1 is dismissed as being infructuous.

The petitioner Nos. 2, 3 and 4 apprehend their arrest in connection with Kochas P.S. Case No. 21 of 2020, registered for the offences punishable under Sections 341, 323, 504, 506, 498 (A) of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

It is a case of matrimonial dispute. As per allegation, the accused persons subjected the informant, Manisha Devi, to cruelty for non-fulfillment of demand of dowry.

So far as petitioner Nos. 2, 3 and 4 are concerned they are mother-in-law, *bhaisur* and sister-in-law (nanad) of the informant and they have no concern with day to day affairs of the couple. They have falsely been implicated merely because they are close relatives of the husband of the informant.

Considering the above-mentioned facts and circumstances, let the petitioners, 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 Additional Chief Judicial Magistrate-1st Rohtas at Sasaram in connection with Kochas P.S. Case No. 21



of 2020, 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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