

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62713 of 2022

Arising Out of PS. Case No.-2528 Year-2019 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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1. Kishori Prasad Sah Son of Late Deep Narain Prasad Sah R/o Mohalla-Hasanganj, P.O.- Mojahidpur, P.S.- Tilkamanjhi, Distt.- Bhagalpur
 2. Smt. Shobha Devi Wife of Sri Kishori Prasad Sah R/o Mohalla- Hasanganj, P.O.- Mojahidpur, P.S.- Tilkamanjhi, Distt.- Bhagalpur
 3. Vijay Kumar Sah Son of Sri Kishori Prasad Sah R/o Mohalla- Hasanganj, P.O.- Mojahidpur, P.S.- Tilkamanjhi, Distt.- Bhagalpur
 4. Pawan Kumar Son of Sri Kishori Prasad Sah R/o Mohalla- Hasanganj, P.O.- Mojahidpur, P.S.- Tilkamanjhi, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Upendra Prasad Singh, Advocate
		Ms. Veena Kumari Jaiswal, Advocate
For the Opposite Party/s	:	Mr. Ganesh Prasad Singh, APP
For the Complainant	:	Mr. Arvind Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-12-2022 Heard learned counsel for the petitioners, learned counsel for the complainant and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 498A and 323 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the complainant alleges that her marriage was solemnized with Ajay, further after marriage, Ajay demanded Rs. 5 lakhs by way



of dowry as he is mentally unbalanced, further the accused persons also tortured her for dowry and on 26.10.2018, she was ousted from her matrimonial home.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that whenever any dispute between husband and wife arises, the entire family members are implicated based on general and omnibus allegation, it is further submitted that it is the duty of the husband to ensure that wife lives with dignity and honor, it is also submitted that anticipatory bail application of complainant's husband is pending adjudication before this Court.

Learned A.P.P. for the State and learned counsel for the complainant oppose the prayer for anticipatory bail of the petitioners but are not in a position to rebut the submission of the learned counsel for the petitioners that allegation of dowry demand and torture is general and omnibus in nature.

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 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 court below where the case is pending/successor court in connection with Complaint Case No. 2528 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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