

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9738 of 2023

Arising Out of PS. Case No.-417 Year-2022 Thana- KOTWA District- East Champaran

1. Laldeo Prasad @ Raju Sharma Son of Late Yamuna Prasad R/V- Amwa, P.O- Ahirauliya, P.S- Kotwa Dist- East Champaran
2. Ravi Sharma @ Ravi Kumar Son of Laldeo Prasad @ Raju Sharma R/V- Amwa, P.O- Ahirauliya, P.S- Kotwa Dist- East Champaran
3. Bibha Kumari @ Bibha Devi Wife of Ravi Sharma @ Ravi Kumar R/V- Amwa, P.O- Ahirauliya, P.S- Kotwa Dist- East Champaran
4. Vishwajeet @ Vishwajeet Kumar Son of Laldeo Prasad @ Raju Sharma R/V- Amwa, P.O- Ahirauliya, P.S- Kotwa Dist- East Champaran
5. Munna Kumar @ Jokhu Prasad Son of Shivlochan Prasad @ Sheopujan Prasad R/V- Amwa, P.O- Ahirauliya, P.S- Kotwa Dist- East Champaran
6. Rita Devi Wife of Laldeo Prasad @ Raju Sharma R/V- Amwa, P.O- Ahirauliya, P.S- Kotwa Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pravin Kumar
For the Opposite Party/s : Ms.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-04-2023

Heard learned counsel for the parties.

The petitioners apprehend their arrest in connection with Kotwa PS Case No. 417 of 2022 for the offence registered under Sections 498(A), 323, 504, 506/34 of the I.P.C.

The prosecution story, in brief, is that the accused persons including petitioners tortured the victim due to non-fulfillment of demand of dowry and ousted her from matrimonial home.

It is submitted on behalf of petitioners that petitioners happen to be in-laws of the informant except



petitioner no. 5 who is neighbour and present case has been lodged due to petty family dispute. There is general and omnibus allegation of demand of dowry and commission of assault against petitioners. It is further submitted that there is no allegation of tampering with the witnesses alleged against the petitioners. The case is triable by the Magistrate. The petitioner has further relied upon the judgment of this Court in the case of *Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar*, reported in **2006(3) PLJR 182**.

Learned APP for the State however opposed the prayer for anticipatory bail of the petitioners.

Considering the aforesaid facts and circumstances, let the petitioners, above-named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged 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 10th Additional Chief Judicial Magistrate, Motihari, East Champaran in connection with Kotwa PS Case No. 417/ 2022, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

vinita/-

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