

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14674 of 2023

Arising Out of PS. Case No.-432 Year-2022 Thana- MURLIGANJ District- Madhepura

1. Anant Yadav Son of Shankar Yadav R/V- Bhelahi Ward no. 11, P.S- Murliganj, Dist- Madhepura
2. Shankar Yadav Son of Maheshwar Yadav R/V- Bhelahi Ward no. 11, P.S- Murliganj, Dist- Madhepura
3. Harekrishna Yadav Son of Maheshwar Yadav R/V- Bhelahi Ward no. 11, P.S- Murliganj, Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-06-2023 At the outset, learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with regard to petitioner No. 2.

Permission is granted.

The anticipatory bail application with regard to petitioner No. 2 is dismissed as withdrawn.

Heard the parties.

Petitioner Nos. 1 and 3 apprehend arrests in a case registered for the offences punishable under Sections 341, 323, 379, 307, 326, 354B, 504, 506/34 of the Indian Penal Code.

As per F.I.R., on 28.09.2022, while the informant was



sleeping inside her house, petitioner No. 1 entered into the house and tried to molest her and on protest, he started abusing her. Meanwhile, other co-accused persons came and tried to suppress her. On her protest, they sprinkled kerosene oil on her and set her on fire. It is further alleged that they also snatched gold chain and *payal* from the neck and ankle of the informant.

Petitioner No. 1 is *Bhaisur* and petitioner No. 3 is cousin father-in-law of the informant.

Learned counsel appearing for the petitioners submits that the F.I.R. has been lodged after delay of eight days and there is no explanation for the same. It is next submitted that earlier also the informant lodged a dowry case against these petitioners and others i.e., Mahila P. S. Case No. 42 of 2022 on 04.08.2022. He further submits that husband of the informant filed a divorce case No. 17 of 2022 in the court of Principal Judge, Family Court, Madhepura and in retaliation to the same, this false and concocted case has been lodged against the petitioners.

Considering the aforesaid facts and circumstances, this anticipatory bail is allowed and it is ordered that the above named petitioner Nos. 1 and 3 in the event of their arrest/surrender before the court below within a period of six



weeks from today, 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 Chief Judicial Magistrate, Madhepura in connection with Murliganj P. S. Case No. 432 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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