

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23323 of 2023

Arising Out of PS. Case No.-12 Year-2022 Thana- MAHILA P.S. District- Nalanda

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1. SHYAMA DEVI Wife of Awdhesh Prasad @ Awdhesh Prasad Yadav R/V-
Chunukpura P.s- Ghoshi Dist- Jehanabad
 2. Awdhesh Prasad @ Awdhesh Prasad Yadav Son of Late Ramdahin Yadav
R/V- Chunukpura P.s- Ghosi Dist- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anupa Nand Jha

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Mahila P.S.
Case No. 12 of 2022 registered for the offences punishable
under Section 498(A), 494, 341, 323, 34 of the Indian Penal
Code and Section 3/4 of the D.P. Act pending in the Court of
learned Sub Divisional Judicial Magistrate, Bihar Sarif at
Nalanda.

As per the prosecution case, it is alleged that the
petitioner along with other accused persons tortured and
demanded dowry from the informant. It is further alleged that
just after one year of her marriage her husband namely Bittu



Prasad had performed second marriage with one Sima Kumari.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that there is no specific allegation against the petitioners. The petitioners are parents of the co-accused Bittu Kumar. The petitioners have no criminal antecedents as mentioned in para-3 of the bail application.

Learned APP for the State opposes the prayer for anticipatory bail and submits that the petitioners are father and mother of Bittu Kumar.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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