

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21927 of 2023

Arising Out of PS. Case No.-382 Year-2018 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

-
1. Uday Chaudhary S/O Triveni Chaudhari @ Triveni Chaudhary Resdient Of Village- Sahar Bani, P.S- Alauli, District- Khagaria
 2. Laxmi Devi W/O Uday Chaudhary Resdient Of Village- Sahar Bani, P.S- Alauli, District- Khagaria
 3. Jyoti Devi @ Jyoti Kumari W/O Raja Chaudhary Resdient Of Village- Sahar Bani, P.S- Alauli, District- Khagaria
 4. Shivam Kumar S/O Uday Chaudhary Resdient Of Village- Sahar Bani, P.S- Alauli, District- Khagaria
 5. Bolbam Kumar S/O Uday Chaudhary Resdient Of Village- Sahar Bani, P.S- Alauli, District- Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bharti Devi W/O Raja Chaudhary, D/O Brij Mohan Chaudhary R/O Village- Lalpur Ward No.-4, P.S- Chautham, Distt.- Khagaria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 28-08-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 498A, 448, 323, 34 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

3. As per prosecution case, after one month of marriage, in-laws and husband of Bharti Devi (opposite party



no.2) started tortured and assaulted her due to demand of dowry and threatened to remarry. Thereafter, her husband remarried with another girl Jyoti Kumari. Further, he along with these petitioners poured kerosene oil on her body to burn her.

4. Learned counsel for the petitioners submits that the petitioners are innocent and has falsely been implicated in this case. The entire prosecution story as alleged against the petitioners are false and fabricated. Petitioners are in-laws of the victim. There is no specific overt act against the petitioners. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as opposite party no.2 opposes prayer for anticipatory bail and submitted that in maintenance case, the Court below has directed the husband of the opposite party no.2 to pay Rs.4,000/- per month but her husband is not giving the said amount.

6. Considering the facts and circumstances of the case as also the fact that there is no specific overt act against the petitioners and there is no direction to these petitioners to pay the said maintenance amount, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks



from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty 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. 382C of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

saaurabhkrsinha/-

U		T	
---	--	---	--

