

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51176 of 2023

Arising Out of PS. Case No.-1374 Year-2011 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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1. LAKHAN RAM Son of Late Sukhdeo Ram Resident of village - Birpur, P.S. - Hasanpur, Distt. - Samastipur
 2. Reshma Devi Wife of Lakhan Ram Resident of village - Birpur, P.S. - Hasanpur, Distt. - Samastipur

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Amerika Devi Wife of Kailash Ram, D/o - Kailu Ram Present address - Village - Masuraj, P.S. - Khodawanpur, Distt. - Begusarai, Permanent address - Birpur, P.S. - Hasanpur, Distt. - Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Yadav, Advocate
For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 19-08-2023 1. Heard the learned counsel for the petitioners and the learned A.P.P. for the State.
2. This is an application for grant of anticipatory bail in connection with Complaint case no. 1374C of 2011, in which cognizance has been taken under Sections 323, 379, 498(A) of the Indian Penal Code and Section 4 of Dowry Prohibition Act.
3. The case of the complainant, in brief, is that her marriage was solemnized with co-accused person namely Kailash Ram in the year 2005, whereafter she had gone to her matrimonial home, however, subsequently, the accused persons



had demanded a sum of Rs. 1 lac by way of dowry as well as had tortured her. It is also alleged that subsequently, the complainant was blessed with a girl child, whereafter the accused persons started torturing the informant again and then she was ousted from her matrimonial home.

4. The learned counsel for the petitioners submits that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted that the petitioners are father-in-law and mother-in-law of the complainant and since they are staying separately, they have got no role to play in the alleged occurrence and if at all, anybody has got complicity in the said occurrence, it is the husband of the complainant, hence, the petitioners be granted the privilege of anticipatory bail.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioners are father-in-law and mother-in-law of the complainant, the



marriage has taken place about 18 years back, the father-in-law and mother-in-law of the complainant are stated to be living separately from the complainant and the main accused i.e. the husband of the complainant, as stated by the learned counsel for the petitioners, I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail.

7. Accordingly, the abovenamed petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned court of C.J.M., Begusarai in connection with Complaint case no. 1374C of 2011, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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