

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44350 of 2019

Arising Out of PS. Case No.-17 Year-2018 Thana- MAHILA PS District- Gaya

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1. NARENDRA KUMAR @ BUTAN SINGH S/o Late Vaidehi Sharan Singh R/o Village- Korap, P.S.- Conch, District- Gaya.
 2. Meena Devi W/o Narendra Kumar R/o Village- Korap, P.S.- Conch, District- Gaya.
 3. Anand Kumar S/o Narendra Kumar R/o Village- Korap, P.S.- Conch, District- Gaya.
 4. Gaurav Kumar @ Gaurav Kumar Kaushik S/o Narendra Kumar R/o Village- Korap, P.S.- Conch, District- Gaya.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Jyoti Devi W/o Umang Kumar and D/o Dharmendra Kumar R/o Mohalla- Veer Kuar Singh Coloney Road No. 6, P.S.- Magadh Medical College, District- Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Kamal Deo Sharma
For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

19 12-04-2023 Heard the learned counsel for the petitioners as well as the learned APP for the State assisted by the learned counsel for the informant.

The petitioners apprehend their arrest in connection with Mahila P.S. Case No. 17 of 2018, registered for the offences punishable under Sections 341, 342, 379, 323, 307, 498 (A), 504, 506/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.



The petitioner No. 1 is father-in-law of the informant, Jyoti Devi. Her marriage was solemnized on 21.11.2016, with son of the informant. The petitioners demanded money from father of the informant for construction of house. Father of the informant paid Rs. 8,50,000/- in the bank account of the petitioner number mentioned in the FIR and 4,00,000/- cash was also paid by him. The petitioner demanded again Rs. 1,50,000 but due to financial scarcity, father of the informant could not fulfill the demand. Thereafter, the petitioners attempted to kill the victim by setting her on fire but she was escaped. Lastly, the accused persons drove her out from matrimonial house.

The learned counsel for the petitioner has submitted that the petitioners are innocent. They are father-in-law, mother-in-law and brothers-in-law of the victim. There is no allegation against the husband and only in-laws have been implicated.

On the other hand, the learned counsel for the informant has submitted that the main allegation is against petitioner No. 1, father-in-law, who is responsible for non-restoration of matrimonial relation between the couple. The learned counsel has also submitted that during process of conciliation in the chambers, the petitioners were not ready to keep the victim whereas in paragraph No. 9 of their bail



petition, it has been mentioned that they are ready to keep the victim with full dignity and honour.

It appears that the main allegation is against petitioner No. 1. The father of the informant made a payment of Rs. 8,50,000/- in his bank account No. 7270001700052461, even then he did not discontinue torturing the victim.

In my view, the petitioner No. 1 does not deserve the privilege for anticipatory bail. Accordingly his prayer for anticipatory bail is rejected.

So far as petitioner Nos. 2, 3 and 4 are concerned, let them, in the event of their arrest or surrender within four weeks before the learned court below, be released 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 learned CJM, Gaya in connection with Mahila P.S. Case No. 17 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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