

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49373 of 2023

Arising Out of PS. Case No.-434 Year-2022 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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1. Bachani Kuwar, wife of Late Mahadev Prasad Resident of Village-Aurangabad Saraiya, P.S.-Tilauthu, District-Rohtas
 2. Nand Keshwar Prasad @ Nand Kishore Seth, Son of Late Ram Awatar Saw Resident of Village-Aurangabad Saraiya, P.S.-Tilauthu, District-Rohtas
 3. Satyendra Prasad Seth @ Harendra Seth @ Satendra Prasad Soni, Son of Late Bhavuti Seth Resident of Village-Itadiya, P.S.-Karakat (Gorari), District-Rohtas

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Pooja Devi, wife of Gopal Prasad Resident of Village-Aurangabad, Saraiya, P.S.-Tilauthu, District-Rohtas. at present daughter of Gopal Prasad, Resident of Village-Gorari, P.S.-Karakat (Gorari), District-Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar, Advocate
For the Opposite Party/s : Mr. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 16-08-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Complaint Case No. 434 of 2022, registered for the alleged offence under Sections 323, 498A, 504/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

03. As per prosecution case, petitioners and other co-accused persons used to demand dowry from the complainant



and on non-fulfillment of their demand, they threw her out from her matrimonial home.

04. Learned counsel for the petitioner submits that the petitioner no. 1 is mother-in-law of the complainant, petitioner no. 2 is the brother-in-law of the husband of the complainant and petitioner no. 3 was the mediator at the time of marriage. The allegations are general, vague and omnibus against the petitioners, who have been falsely implicated in this case.

05. Learned A.P.P. as well as learned counsel appearing on behalf of the complainant oppose the prayer for anticipatory bail of the petitioners. Learned counsel for the complainant submits that being the head of the family, petitioner no. 1 is instrumental in demand of dowry and treating the complainant with cruelty.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the relationship of the petitioners with the complainant and the nature of allegation, which is mostly vague against the petitioners, let the petitioners above named, in the even of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial



Magistrate, Bikramganj, Rohtas/concerned court in connection with Complaint Case No. 434 of 2022, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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