

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52569 of 2023

Arising Out of PS. Case No.-2358 Year-2022 Thana- PURNIA COMPLAINT CASE District-
Purnia

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1. Niranjan Das, Son of Late Mahendra Chandra Das
 2. Ratan Kumar Das @ Ratan Das Son of Niranjan Das
 3. Tapan Kumar Das @ Tapan Das Son of Niranjan Das
- All are Resident of village - Madhopara, Bangali Tola, ward no. 02, P.S. -
Sadar, distt. - Purnea

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Juhi Kumari @ Nandani Kumari W/o Swapan Das, D/o Raghubir Rai At
present Mohalla - Suddin Chowk, Chhath Pokhar, ward no. 26, P.S. - K. Hat,
Distt. - Purnia

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Dr. Bidhu Ranjan, Advocate, Advocate
For the Opposite Party/s	:	Mr. Indu Kumari Srivastava, APP
For the complainant	:	Mr. Bijendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-10-2023 Heard learned counsel for the petitioners, learned
counsel for the complainant as well as learned Additional Public
Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Complaint Case No.2358 of 2022, registered
for the offence punishable under Sections 498(A), 406 of the
IPC and Section 3/4 of the D.P. Act.

3. The prosecution story in brief is that the
complainant was married on 27.04.2022 according to Hindu
rites and rituals. The father of the complainant gave rupees two



lacs cash as dowry and other items and the same were taken by the complainant when she went to her matrimonial house. Further, it is alleged that the husband of complainant and her inlaws resides in the joint house. When the complainant went to her in-laws house with the articles given by her father then all the accused persons told that the said articles are not according to their status and further all the accused persons told her to bring rupees one lacs cash for her husband and upon not bringing the same she shall be killed and solemnized second marriage of her husband. Thereafter, upon protest by the complainant, her husband and inlaws started torturing her by both mentally and physical way. On 12.6.2022, all of sudden the complainant was closed in a room and all the accused persons assaulted her by fist, slap, and shoes due to which she became injured. Accused persons assaulted her and ousted her from the house and than the complainant any how managed to reach her parental house from where she was brought to Govt. Medical College & Hospital, Purnia for treatment. When the complainant got discharged then her parents went to her matrimonial house and conducted *panchayati* and all accused persons told them in the *Panchayat* that she will be allowed to live only when she brings rupees one lacs as dowry. Then the parents of



complainant told them their problems and the complainant was sent to her *Sasural*. Again on 12.08.22 like earlier antecedent the complainant was again locked in the room and accused persons assaulted her by fist and slap and again they demanded for Rs. 1 Lacs. Further, it is alleged that the accused persons snatched the jewellery of Rs. 30,000/- from complainant and she was ousted from her matrimonial house. Then, it is alleged that the parents of complainant along with the witnesses of complaint case went to the house of accused persons for *panchayati*, where they were assaulted by the accused persons. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that petitioners have clean antecedent and have falsely been implicated in the present case merely on the ground that the petitioners are in-laws of the complainant. Further submits that from perusal of the complaint petition it appears that there is no accusation of any assault or overt act is attributed against the petitioners, rather there is general and omnibus allegation against all the accused persons including the petitioners nor any demand of dowry is attributed against the petitioners. He further submits that petitioner no.1 is father-in-law, petitioner no.2 and 3 are brother-in-law of the complainant and they are living



separately from the family member of the complainant.

5. Learned counsel for the complainant as well as learned APP for the State, on the other hand vehemently opposed the prayer for anticipatory bail of the petitioners stating that there is allegations against the petitioners that they have demand the dowry from the family members of the complainant and also assaulted the complainant.

6. Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Purnia in connection with Complaint Case No.2358 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(i) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.



(ii) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of their anticipatory bail.

(iii) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of anticipatory bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Prakash Narayan

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