

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52177 of 2023

Arising Out of PS. Case No.-158 Year-2022 Thana- GURUA District- Gaya

1. Usha Devi Wife of Late Dinesh Yadav
2. Sushil Kumar Son of Late Dinesh Yadav
Both Resident of Village-Tetariya, P.S.-Deo, District-Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh, Advocate
For the Opposite Party/s : Ms.Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 19-08-2023 Heard learned counsel for the parties.

2. The petitioners seek pre-arrest bail in connection with Gurua P.S.Case No.158/2022, registered for the offences punishable under Sections 498(A) and 34 of the Indian Penal Code and Section 3 & 4 of Dowry Prohibition Act.

3. Prosecution story, in brief, is that the marriage of the informant was solemnized in the year, 2015 but after the one year of the marriage of the informant, petitioners and other co-accused persons started demanding Rs.2 lac as additional dowry and due to non-fulfilment of the same, they assaulted and started torturing the informant and lastly ousted her from the matrimonial house in the year, 2017. Husband of the informant (Lavkush Kumar) has also performed second marriage in



connivance of petitioners.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent. Petitioner no.1, who is mother-in-law of the informant, is ready to live with the informant and do all the house-hold works of the informant. She is also ready to take care of the informant in case she is willing to reside with them. It is further submitted that the petitioners will bear all the financial expenses of the informant. Learned counsel also submitted that the reason behind the allegation is that the informant has started doing job of Jeevika and earning money as well as the informant is living in her parental village. Petitioners have no criminal antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made against the petitioners [petitioner no.1 is mother-in-law and petitioner no.2 is younger brother of the husband of the informant (*Dewar*),] the petitioners is directed to be released on pre-arrest bail, in the event of their arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sri Kumar



Shubham, learned J.M. Ist Class, Sherghati, Gaya in connection with Gurua P.S.Case No.158 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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