

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54555 of 2023

Arising Out of PS. Case No.-227 Year-2019 Thana- PIRBAHOR District- Patna

Prema Devi, W/O Late Gajendra Prasad Gupta, R/O Village- Shanti Nagar,
Chinni Milli, Ps. Buxar, District-. Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kumari Priyadarshani W/O Kapil Dev Jee Gupta R/O- Tulsi Niwas, Chinni Mill, Ps-Buxar, Dist. Buxar, A/P- C/O Sambhu Prasad Advocate, Makhaniyaa Gali, Opposite To B.N College, P.S.- Pirbahore, District. Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Madhukar Anand, Advocate
For the Informant	:	Mr. Alok Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr.Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 23-08-2023
1. At the outset, Mr. Alok Kumar Sinha, learned counsel appearing on behalf of the informant submits that he could not file soft copy of the Vakalatnama as Patna High Court's server is not functional for last two days. However, he is ready to file hard copy of the original Vakalatnama today before this court and in this regard permission is required.
 2. Permission is accorded.
 3. Let the original hard copy of the Vakalatnama issued by the informant in favour of the said counsel be kept on record.
 4. Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.



5. The petitioner apprehends his arrest in connection with Pirbahore P.S. Case No. 227 of 2019 dated 16.04.2019 registered for the offence(s) punishable under Section(s) 498(A), 341 and 323 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

6. In respect of the merit of the present matter, it is submitted by learned counsel for the petitioner that the petitioner is an old lady having relationship of mother-in-law with the informant, against her there is no specific allegation in the FIR, after the institution of the FIR of the present matter the informant again lodged Pirbahore P.S. Case No. 394 of 2020 with the same nature of allegations, in which informant's husband has been granted anticipatory bail by the trial court concerned and in that case the husband of the informant undertook that he will pay Rs. 20,000/- to the informant and since then he is doing so. It is further submitted that the marriage of the informant with the son of this petitioner took place in the year 2009 and two children were born out of their wedlock so the allegation of subjecting the informant to cruelty for the demand of dowry is completely unbelievable.

7. Learned APP appearing for the State as well as learned counsel for the informant has vehemently opposed the



bail prayer and submitted that there is specific allegation against the petitioner and she does not deserve to the privilege of anticipatory bail.

8. Considering the above submissions as well as the facts and circumstances of this case and the nature of allegation appearing against this petitioner, this court is inclined to accept the anticipatory bail prayer of the petitioner. Accordingly, let the petitioner named-above, in the event of her arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Pirbahore P.S. Case No. 227 of 2019 on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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