

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57015 of 2023

Arising Out of PS. Case No.-238 Year-2022 Thana- KADAMKUAN District- Patna

1. BIRENDRA RAI @ BIRU YADAV son of Late Nevi Rai Village- Pokhraise P.S. and Dist- Samastipur
2. Asha Devi wife of Birendra Rai @ Biru Yadav Village- Pokhraise P.S. and Dist- Samastipur
3. Ajay Kumar @ Ajay son of Birendra Rai @ Biru Yadav Village- Pokhraise P.S. and Dist- Samastipur
4. Vijay Kumar @ vijay son of Birendra Rai @ Biru Yadav Village- Pokhraise P.S. and Dist- Samastipur
5. Kanhai Kumar son of Birendra Rai @ Biru Yadav Village- Pokhraise P.S. and Dist- Samastipur
6. Minu Devi @ Mina Devi wife of Ranjit Yadav Village- Punas PS and Dist- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rita Kumari wife of Suman Kumar, D/o- Late Debu Yadav C/O Rama Singh, Resident of Mohalla- Upadhyay Lane Lohanipur Langra School Ps Po- Kadamkuan Dist- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Paras Nath, Advocate
For the State	:	Mr. Anand Kishore Choudhary, A.P.P.
For the Informant	:	Mr. Krishna Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-12-2023 Heard learned counsel for the petitioners, informant and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 498(A)/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act

3. Allegation against these petitioners is of



committing torture and harassment to the informant due to non-fulfillment of demand of dowry.

4. Petitioner No. 1 is father-in-law, petitioner No. 2 is mother-in-law, petitioner Nos. 3 to 5 are brothers-in-law and petitioner No. 6 is married sister-in-law of the informant.

5. Learned counsel for the petitioners submits that there is general and omnibus allegation against the petitioners. Petitioners are separate in mess and property and they are not concerned with family affairs of the informant and her husband. Moreover, thrust of accusation is against husband of the informant. Petitioners claim clean antecedent.

6. Learned counsel for the informant vehemently opposes the bail application.

7. Considering the nature of allegation and the fact that thrust of accusation is against husband of the informant, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged 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 Sub-Judge-X-cum-Additional Chief Judicial Magistrate, Patna in connection with Kadamkuan P. S. Case No.



238 of 2022, subject to condition as laid down under Section
438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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