

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58020 of 2023

Arising Out of PS. Case No.-811 Year-2023 Thana- DANAPUR District- Patna

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1. Anil Kumar Singh S/O Late Sudhirendra Nath Singh.
 2. Meena Singh W/O Anil Kumar Singh Address.
 3. Minal Singh D/O Anil Kumar Singh Resident Of Arya Shakuntala Villa, Mohammadpur Kurji, P.S.-Phulwari Sharif, P.O.-Mohammadpur, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Bhanu Priya @ Shanu Vatsa Daughter Of Birendra Kumar Singh Resident Of Flat No. 4b Sarju Kutir, Lane No. 3, Arya Samaj Mandir Road, S.K. Puram, R.P.S. More, P.O.-danapur Bazaar, P.S.-rupaspur, District-Patna-801503.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vishal Vikram Rana, Advocate
For the Opposite Party/s	:	Mr. Veena Kumari Jaiswal, APP
For the Informant	:	Mr. Kundan Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-10-2023 Heard Mr. Vishal Vikram Rana, learned counsel appearing on behalf of the petitioners, Mr. Kundan Kumar Singh, learned counsel appearing on behalf of the Informant and Mr. Veena Kumari Jaiswal, learned APP appearing on behalf of the State.

2. The petitioners seek pre-arrest bail in connection with Danapur P.S. Case No.811 of 2023 dated 15.06.2023 registered for the offence punishable under Sections 341, 323, 498(A), 34 of the Indian Penal Code and 3/4 of Dowry

Prohibition Act.

3. Prosecution story, in brief, is that the allegation has been made in the FIR that due to estrange relationship between the husband and the wife, the case of torture and demand of dowry has been made.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner no.1 is the father-in-law and petitioner no.2 is the mother-in-law and petitioner no.3 is the unmarried daughter of the petitioner no.1 and petitioner no.2. He further submits that the family members of the petitioner were not informed about the ill health of the informant, who was suffering from some mental disease and for that, she was undergoing through treatment. It has been further submitted that the allegations of demand of dowry and torture are not sustainable, as the informant on her own wish does not want to live along-with the petitioners and her husband. Learned counsel also submits that in any case petitioners are not responsible for estrange relationship between the petitioner and her husband. It has been further submitted that the petitioner no.3 is unmarried daughter of the petitioner nos.1 and 2 and the petitioner no.1 is an old aged person of about 68 years and petitioner no.2 is his wife and an old aged lady.

5. Mr. Kundan Kumar Singh, learned counsel appearing on behalf of the Informant submits that Informant is the lady, who used to live with her husband.

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

7. Considering the nature of allegation made in the FIR, as well as, prima facie, it appears to be arising out of matrimonial dispute.

8. The petitioner no.3 being unmarried sister-in-law is directed to be released on pre-arrest bail in the event of her arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-1, Danapur in connection with Danapur P.S. Case No.811 of 2023 dated 15.06.2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

9. The petitioners nos. 1, and 2, above named, are directed to be released on provisional bail for period of six months, with the condition that petitioner nos.1 and 2 being the father-in-law and mother-in-law of the Informant, must try to mediate between their son and daughter-in-law i.e. Informant, so

that they can live a happy married life. The provisional bail of the petitioner nos.1 and 2 shall be made absolute, if their son and daughter-in-law i.e. the Informant starts living a happy married life, on such terms and conditions as learned Court below deems it fit and proper.

(Purnendu Singh, J.)

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