

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55988 of 2023

Arising Out of PS. Case No.-19 Year-2023 Thana- MAHILA PS District- Gaya

1. MAMTA DEVI W/o Deepak Saw @ Deepak Kumar Resident of Mohallah - Karan Vihar, Gupta Niwas, Ms. Mamta Devi, H. No. - 87, K. H. No. - 646, Karan Vihar, P.H. - 5 North West Delhi, 86, P.S. - Sultanpuri, New Delhi
2. Deepak Saw @ Deepak Kumar Son of Sanichar Sah Resident of Mohallah - Karan Vihar, Gupta Niwas, Ms. Mamta Devi, H. No. - 87, K. H. No. - 646, Karan Vihar, P.H. - 5 North West Delhi, 86, P.S. - Sultanpuri, New Delhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rama Kant Singh

For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under Section 376 and some other ancillary Sections of the Indian Penal Code.

3. As per the prosecution case, marriage of informant was settled with son of petitioners in the year 2020 and ring ceremony was performed 12/11/2021. Thereafter, it is alleged that Pankaj Shaw, son of petitioners, established physical relation with the informant and clicked her some photographs. It is further alleged that the accused persons demanded dowry and the son of petitioners refused to marry with informant.

4. Petitioner No.1 is mother and petitioner No.2 is



father of Pankaj Shaw.

5. Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. It is further submitted that specific accusation of establishing physical relation is against co-accused, Pankaj Shaw, and petitioners have been made accused in this case only because they happen to be parents of Pankaj Shaw and at no point of time any demand of dowry was made by the petitioners. Petitioners have got clean antecedent.

6. Learned counsel appearing for the State opposes the prayer for anticipatory bail.

7. Considering the facts of the case and nature of accusation against the petitioners, let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sub divisional Judicial Magistrate, Gaya in connection with Mahila PS case No. 19/ 2023, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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