

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60039 of 2023

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

1. SUJIT SHARMA
2. Ranjit Kumar
Both Sons of Gupteshwar Sharma
3. Tetari Devi Wife of Gupteshwar Sharma
4. Gupteshwar Sharma Son of Late Paras Mistry
5. Sandhya Devi Wife of Sujit Sharma
All R/o vill - Dalpatpur, P.O. - Chakwar, P.S. - Pipra, Distt. - Palamu
(Jharkhand)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rina Devi Wife of Ajit Kumar Sharma R/o vill - Dalpatpur, P.O. - Chakwar,
P.S. - Pipra, Distt. - Palamu, At present address - D/o Pujan Sharma, R/o vill
- Kushi, P.O. - Karma Bhagwan, P.S. - Pipra, Distt. - Palamu

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Malti Kumari,Advocate
For the Opposite Party/s : Mr.Anand Kishore Choudhary,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-10-2023 Heard Mrs.Malti Kumari, learned counsel for the

petitioners and Mr.Anand Kishore Choudhary, learned

Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with G.R.No.1388 of 2023 arising out of Mahila
P.S.Case No.19 of 2023, FIR dated 05.06.2023 registered for
the offences punishable under Sections 341, 323, 504, 506,
498(A)/34 of the Indian Penal Code and Section 3/4 of the



D.P.Act.

3. Allegation against the petitioners and other co-accused persons is of committing torture upon the victim due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case merely on the ground that the petitioners are inlaws of the informant and from a bare perusal of the FIR it appears that there is general and omnibus allegation against all the accused persons including the petitioners. Further submits that petitioner No.1 is brother-in-law, petitioner No.2 is Devar, petitioner No.3 is mother-in-law, petitioner No.4 is Father-in-law and petitioner No.5 is Gotani of the informant.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners and submits that they are inlaws of the informant and as per allegation in the FIR that they have with common intention harassed the informant and also demanded the dowry from the family members of the informant.

6. Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or



surrender before the court below within a period of thirty days from the date of receipt of the order, be released 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 learned Sub Divisional Judicial Magistrate, Aurangabad in connection with G.R.No.1388 of 2023 arising out of Mahila P.S.Case No.19 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall



take step for cancellation of bail bond of the petitioners.
However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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