

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69298 of 2022

Arising Out of PS. Case No.-320 Year-2021 Thana- CHAKIA District- East Champaran

1. ASHA DEVI @ USHA DEVI W/O SHAMBHU PRASAD Resident of village- Chand Saraiya, P.S.- Piprakothi, District- East Champaran.
2. SHAMBHU PRASAD S/O LATE RAM GOVINDA SAH Resident of village- Chand Saraiya, P.S.- Piprakothi, District- East Champaran.
3. VIKASH KUMAR S/O SHAMBHU PRASAD Resident of village- Chand Saraiya, P.S.- Piprakothi, District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi, Adv.
For the Opposite Party/s : Mr.Pushpa Sinha, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-01-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 498A, 341 and 323 of the Indian Penal Code, 1860.

Petitioners, who are in laws of the informant, are said to have tortured her physically and mentally. They ousted her from the matrimonial home over the dowry demand.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. They have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that the informant has levelled false



allegations upon receiving the notice in divorce case she lodged the case rather the informant herein tried to get the decree of divorce set aside by instituting a proceeding under Order IX Rule 13 of the Code of Civil Procedure, 1908 which got dismissed vide order dated 28.09.2021 and only then the informant lodged the present case on 09.10.2021 by levelling false and concocted allegations. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is general and omnibus allegations against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six 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 the learned Court below where the case is pending/successor Court in connection with Chakiya P.S. Case No. 320 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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