

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40 of 2023

Arising Out of PS. Case No.-1645 Year-2021 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. AMRITA DEVI @ AMRITA SINGH W/o Jitendra Singh R/v- Badaharwa Lakhansen, P.S.- Dhaka, District- East Champaran
 2. RAUSHANI DEVI @ RAUSHNI SINGH W/o Satendra Singh R/v- Badaharwa Lakhansen, P.S.- Dhaka, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. PUJA KUMARI W/o Satyaprakash Singh D/o Ranbahadur Singh R/v- Amar Chhatauni, Asman Rai Tola, P.S.- Chhatauni, District- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyanka Singh
For the Opposite Party/s : Mr. Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-03-2023 Heard learned counsel for the petitioners, learned counsel for the complainant and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 498A, 307, 406/34 of the Indian Penal Code and $\frac{3}{4}$ of the Dowry Prohibition Act.

Allegation against the petitioners along with other co-accused persons is that they have made dowry demand and for that the complainant is continuously being tortured physically and mentally. One day in collusion with each other all the accused persons set her to fire and fled away.



Learned counsel for the petitioners submits that 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. He submits that petitioners are *Jethanis* of the complainant. He submits that the said occurrence had took place on 22.04.2016 and the complainant has filed complaint case on 29.09.2021 after delay of more than three years in between this date the complainant has not lodged the F.I.R. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State as well as learned counsel for the complainant oppose prayer for anticipatory bail and submit that the complainant was being treated in the hospital and she was not in a position to lodge the complaint, so she lodged the complaint after delay of three years.

Considering the facts and circumstances of the case, 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 Complaint Case No. 1645 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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