

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1157 of 2023

Arising Out of PS. Case No.-34 Year-2022 Thana- GANGABRIDGE District- Vaishali

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1. Binod Rai @ Gope Ji Son of Late Ajay Rai Resident of Mahiuddinpur, Garehi Gosipur, P.S.- Jandaha, Dist.- Vaishali.
 2. Aadersh Kumar @ Aakash @ Ritu Raj Son of Binod Prasad Rai @ Binod Rai @ Gope Ji Resident of Mahiuddinpur, Garehi Gosipur, P.S.- Jandaha, Dist.- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Parvati Kumari Wife of Avinash Kumar Rai At Present residing at Terasiya, P.S.- Ganga Bridge, Dist.- Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh,Adv.

For the Opposite Party/s : Mr.Indu Kumari Srivastava,Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 22-05-2023 Heard the learned counsel for the
petitioners and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Ganga Bridge P.S. Case No.34 of 2022, registered for offences under Sections 341, 323, 307, 377, 498(A), 504, 506 and 34 of the Indian Penal Code and Sections 3/4 of D.P. Act.

The allegation is regarding the marriage of the informant having been solemnized with one Avinash Kumar in the month of June, 2018 as per Hindu rites and rituals, during the course whereof a sum of Rs. 2.50 lacs in cash, one motorcycle,



furniture, utensils etc., were given to the husband and in-laws of the informant, however, subsequently, the accused persons started demanding dowry and on account of non-fulfillment of the demand for dowry, they began torturing her. It is further alleged that subsequently, the accused persons had assaulted the informant and ousted her from her matrimonial home.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted that while the petitioner no. 1 is the father-in-law of the victim lady, the petitioner no.2 is the brother-in-law of the victim lady and as far as the husband is concerned, he is already behind bars, hence no prejudice would be caused in case the petitioners are granted anticipatory bail. In any view of the matter, it is submitted that though this Court has called for the case diary and the injury



report of the informant, however the same would show that the injuries sustained by the informant has been found to be simple in nature.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that a general and omnibus allegation has been levelled qua the petitioners herein and the husband of the informant is already behind bars, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the above named petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two



sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Ganga Bridge P.S. Case No.34 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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