

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7517 of 2023

Arising Out of PS. Case No.-178 Year-2022 Thana- ITARHI District- Buxar

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1. RAKESH RAI SON OF JAGDISH RAI R/O VILL.- DEOKULI, P.S.-
ITARHI, DISTT.- BUXAR
 2. DHANAWATI DEVI @ DHANAWATI WIFE OF RAKESH RAI R/O
VILL.- DEOKULI, P.S.- ITARHI, DISTT.- BUXAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rang Nath Choubey
For the Opposite Party/s : Mrs. Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-05-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 498A, 494 & 506/34 of the Indian Penal Code.

The present case has been lodged by the so called estranged wife of petitioner no.1 with the allegation that he has ousted her from her matrimonial home on non-fulfillment of demand of dowry.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The



allegation against the petitioners is not specific rather general and omnibus in nature. As a matter of fact, petitioner no.1 is the husband of the informant and petitioner no.2 is own sister of the informant. Petitioner no.2 solemnized marriage with petitioner no.1 with the consent of both sides of the family members. It is further submitted that petitioner is ready to keep the informant with him with full honour and dignity. Earlier to the case under hand, the informant had also filed a case bearing Itarhi P.S.Case No.59 of 2021 for the same alleged offence against petitioner no.1. It is further submitted that petitioner no.1 has never tortured or demanded any dowry till today from the informant. If he demanded or tortured then her own sister will not solemnize marriage with petitioner no.1 with the consent of her family members. Petitioner no.1 has one criminal antecedent, whereas petitioner no.2 has no criminal antecedent, as mentioned in para-3 of this application.

Having regard to 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



lower Court where the case is pending/successor Court in connection with Itarhi P.S. Case No.178 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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