

IN THE HIGH COURT of JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5847 of 2024

Arising Out of PS. Case No.-138 Year-2023 Thana- DEHRI TOWN District- Rohtas

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1. Bhola Singh Son of Devnandan Singh (Father-In-Law) Resident of Mohalla - Lala Colony (Jhabarmal Gali), P.S. - Dehri Nagar, District - Rohtas
 2. Pintu Kumar @ Pintu Singh Son of Not Given (Brother-In-Law) Resident of Mohalla - Lala Colony (Jhabarmal Gali), P.S. - Dehri Nagar, District - Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rinki Devi Wife of Rinku Singh, Daughter of Sikandar Singh Resident of Village - Maharania, P.O. - Budhan Road, P.S. - Darigawan, District - Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Iti Suman, Advocate
For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-02-2024 1. Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

2. The accused/petitioners are named in F.I.R. and apprehending their arrest in connection with Dehri Nagar P.S. Case No. 138 of 2023, registered for the offences punishable under Sections 341, 323, 379, 498-A, 504 and 34 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

3. The allegation against above named petitioners is to assault father and brother of opposite party no. 2, as they came to save her in matrimonial home of O.P. No. 2 from the hands of



her in-laws/petitioners committing cruelty due to non-fulfillment of demand of dowry.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioner no. 1 is father-in-law, where the petitioner no. 2 is brother-in-law, where as per the narration of F.I.R., the main thrust of allegation is available against Rinku Singh, who is the husband of O.P. No. 2 but said Rinku Singh is missing to be arrayed as an accused in formal F.I.R. It is further submitted that injury as alleged was caused by hard and blunt object during the occurrence and prima facie, it is not appearing dangerous to life. It is also pointed out that even F.I.R. is not lodged for offence under Section 307 of the Indian Penal Code and it is a case of simple injury.

5. Learned APP while opposing the prayer of bail submitted that both petitioner assaulted father and brother of O.P. No. 2.

6. Considering the aforesaid facts and circumstances and by taking note of fact as both petitioner are in-laws, where the main thrust of allegation is available against husband of O.P. No. 2 as per the narration of F.I.R., accordingly, both above named petitioners, in the event of their arrest or surrender before the Court below, within a period of four weeks of the order, are



directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Dehri, Rohtas/concerned Court, where the case is pending in connection with Dehri Town P.S. Case No. 138 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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