

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12415 of 2024

Arising Out of PS. Case No.-33 Year-2023 Thana- MAHILA P.S. District- Bhojpur

-
1. Chandan Kumar Son Of Ramji Yadav Resident Of Village-Maniyara, P.S.-Tiyar, District-Bhojpur.
 2. Chhotu Kumar Son Of Ramji Yadav Resident Of Village-Maniyara, P.S.-Tiyar, District-Bhojpur.
 3. Vikash Kumar Son Of Jitendra Yadav Resident Of Village-Fouraha, P.S.-Raghunathpur, District-Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Puja Devi Wife Of Dharmendra Yadav, Daughter Of Vakil Singh Resident Of Village-Mothi, P.O.-Rajiya, P.S.-Piro, District-Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Priya, Advocate
For the Informant	:	Mr. Raju Kr. Singh, Advocate
		Ms. Anju Kumari Sinha, Advocate
For the Opposite Party/s	:	Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-02-2024 Heard Ms. Priya, the learned counsel for the petitioners, the learned counsel for the informant and Mr. Md. Nazir Ansari, the learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Mahila PS Case No. 33 of 2023, FIR dated 07.06.2023, registered for the offences punishable under Sections 341, 323, 504, 506 and 498(A) read with Section 34 of the Indian Penal Code and under Section 3/4 of Dowry



Prohibition Act.

3. According to prosecution case, the informant was tortured and assaulted for non-fulfillment of dowry demand and she was finally ousted from her *sasural*.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case mainly on the ground that petitioners are in-laws of the informant. He further submits that upon perusal of the FIR, it appears that there is no specific allegation of any demand of dowry or assault is attributed against the petitioners, rather the allegations are general and omnibus in nature. He further submits that petitioner no. 1 and 2 are brothers-in-law of the informant and petitioner no. 3 is a distant relative of the informant. They have no role at all in the present occurrence.

5. The learned counsel for the informant as well as the learned Additional Public Prosecutor for the State on the other hand have vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances and the fact that the petitioners have clean antecedent and there is no specific allegation of any demand of dowry or assault



attributed against the petitioners, let the petitioners, above-named, in the event of their arrest or surrender before the Court below, within a period of four weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Bhojpur at Ara, where the case is pending in connection with **Mahila PS Case No. 33 of 2023**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

(i). Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(ii). If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iii). And further condition that the Court below shall verify the criminal antecedent of the petitioners and in case, at any stage, it is found that the petitioners have concealed



their criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Shahnawaz/-

U		T	
---	--	---	--

