

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10446 of 2024

Arising Out of PS. Case No.-42 Year-2023 Thana- MAHILA P.S. District- Rohtas

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1. Gayatri Devi, W/O Lalji Prasad, Village- Raghunathpur, Ps. Brahampur, Dist. Buxar.
 2. Lalji Prasad, S/O Late Baijnath Tatawan, Village- Raghunathpur, Ps. Brahampur, Dist. Buxar.
 3. Manisha Kumari, D/O Lalji Prasad, Village- Raghunathpur, Ps. Brahampur, Dist. Buxar.
 4. Vishal Kumar, S/O Lalji Prasad, Village- Raghunathpur, Ps. Brahampur, Dist. Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sarita Devi, W/O Bikram Prasad, D/O Late Dharichhan Prasad Village- Dihari, Ps. Nasriganj, Dist. Rohtas.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Yadav, Advocate
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In this present case, the petitioners are apprehending their arrest in connection with Mahila P.S. Case No. 42 of 2023, registered for the offences under Sections 323, 498(A), 504 and 506/34 of the Indian Penal Code.

3. As per prosecution case, petitioners, who are in-laws of the informant and allegation against them is that they drove out the informant from their house on account of non-



fulfillment of dowry demand and they also solemnized second marriage of the husband of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Petitioner no.1 is mother-in-law and petitioner no.2 is father-in-law, petitioner nos. 3 and 4 are *nanad* and *devar* of the informant, respectively. Allegations are general, vague and omnibus. The husband of the informant has not solemnized second marriage rather the husband of the informant has filed Matrimonial Case No. 264 of 2021 under Section 9 of the Hindu Marriage Act for restitution of conjugal rights and the said case is pending in the court of learned Principal Judge, Family Court, Buxar. After coming to know about the said matrimonial case, the present case has been lodged. Petitioners never demanded any dowry and never tortured the informant on this account. The petitioners have got no criminal antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioners are in-laws of the informant and allegations are general and non-specific against them and also



considering the possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Rohtas at Sasaram/concerned court in connection with Mahila P.S. Case No. 42 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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