

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7973 of 2024

Arising Out of PS. Case No.-1476 Year-2022 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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1. Kala Devi @ Fala Devi, Wife of Sonelal Sahani, Residents of Village-Rahimpur Rudauli, P.S.-Samastipur Muffasil, Distt.-Samastipur
 2. Sonelal Sahani, Son of late Bal Chand Sahani, Residents of Village-Rahimpur Rudauli, P.S.-Samastipur Muffasil, Distt.-Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vibha Devi, Wife of Ani Sahani, Residents of Village-Rahimpur Rudauli, P.S.-Samastipur Muffasil, Distt.-Samastipur. At present residing at village-Harpur Bhindi, P.S.-Tajpur, Distt.-Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Bhardwaj, Advocate
For the Opposite Party/s : Mr. Lakshmi Kant Sharma, 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 Complaint Case No. 1476 of 2022, registered for the offences under Sections 498A, 494 and 34 of the Indian Penal Code.

3. As per prosecution case, petitioners are parents-in-law of the complainant and allegation against them is that they instigated their son to solemnize second marriage. They also taunted and mentally tortured the complainant.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. All the allegations have been made only to harass the old petitioners who are parents-in-law of the complainant. There is no specific allegation against the petitioners. Moreover, the allegations are general, vague and not so serious. From the complaint petition, it appears that the allegations are only to instigate their son for solemnization of another marriage but the same is not believable. The petitioners do not stay with the husband of the complainant and have no concern with the family of his work. 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 parents-in-laws 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 A.C.J.M.-2, Samastipur/concerned court in connection with Complaint Case No. 1476 of 2022, 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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