

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23614 of 2024

Arising Out of PS. Case No.-787 Year-2022 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

-
1. Ganesh Kumar Prasad Son Of Late Shivjee Prasad R/O-Jawahar Nagar, Ward No. 17 Sewarahi, P.S.-Sewarahi, Distt.-Kushi Nagar, Uttar Pradesh
 2. Ramesh Kumar Son Of Late Shivjee Prasad R/O-Jawahar Nagar, Ward No. 17 Sewarahi, P.S.-Sewarahi, Distt.-Kushi Nagar, Uttar Pradesh
 3. Lilawati Devi Wife Of Late Shivjee Prasad R/O-Jawahar Nagar, Ward No. 17 Sewarahi, P.S.-Sewarahi, Distt.-Kushi Nagar, Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saurabh Kumar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Complaint Case No. 787 of 2022, filed on 05.02.2022 for the offences under Sections 498A, 406 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

3. As per prosecution case, petitioners and other co-accused persons have been demanded one katha land in dowry from the complainant and on non-fulfillment of the said demand, the complainant was driven out from her matrimonial home.

4. Learned counsel for the petitioners submits that



the petitioners are innocent and have falsely been implicated in this case. Petitioner nos. 1 and 2 are elder brothers of the husband of the complainant whereas petitioner no. 3 is mother-in-law of the complainant. The complainant herself is a short tempered lady and causing nuisance in the family because of her cruel behaviour. She has been pressurizing the petitioners and her husband for selling some land belonging to the family and for the same she started quarreling and started misbehaving with the petitioners. The petitioners tried several times that the complainant amend her stubborn behaviour but in vain. The petitioners have no intention of causing disturbance in the family life of the complainant and her husband and they are ready to live with the complainant peacefully. The petitioners have got no criminal antecedent.

5. Learned APP vehemently opposes the submission made on behalf of the petitioners. .

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of allegation against the petitioners and further considering the possibility of false accusation, 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 Sessions Judge V, Gopalganj/concerned court in connection with Complaint Case No. 787 of 2022, subject to the condition 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)

DKS/-

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

