

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26585 of 2024

Arising Out of PS. Case No.-232 Year-2023 Thana- MOTIPUR District- Muzaffarpur

1. Malti Devi Wife of Premanand Prasad Resident of Village- Purnahiya Kothi, Jharokha Road, P.S.- Ghorasahan, Dist.- East Champaran
2. Premanand Prasad Son of Rameqbal Prasad R/o Village- Purnahiya Kothi Jharokha Road, P.S.- Ghorasahan, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Dhannjay Kumar No 2, Adv.
For the Opposite Party/s :	Mr.Pradeep Narain Kumar, APP.
	Mr. Vishwajeet Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-05-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 498(A), 504, 34 of the Indian Penal Code and Section 3/4 of D.P. Act.

3. All the F.I.R. named accused persons including these petitioners, on non-fulfillment of demand of dowry, in furtherance of the common intention are said to have tortured upon the informant physically and mentally and ousted her from her matrimonial home. They also tried to commit murder of the informant by administering her poison.

4. It is submitted by learned counsel for the petitioners



that petitioners are quite innocent and have committed no offence. No such occurrence as alleged has ever taken place. Petitioners are father-in-law and mother-in-law of the informant, respectively. They have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioners are living separately from the family of his son after partition is mess and business. It is further submitted that the informant went to her *Naihar* with her own sweet will and after sometime, when her husband had gone for *bidai* of the informant, she refused to come and once again humiliated him due to which he filed divorce suit against the informant on 09.06.2023. Thereafter, when the informant came to know about the divorce suit filed by her husband, in retaliation of the same, she filed this false case on 20.07.2023 for her defence. It is further submitted that the husband of the informant is already in judicial custody. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioners, let the above named petitioners, be released on bail, in the event of



their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Motipur P.S. Case No. 232 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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