

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28386 of 2024

Arising Out of PS. Case No.-12 Year-2022 Thana- MAHILA P.S. District- Nalanda

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1. Shyama Devi Wife of Awdhesh Prasad Resident of Village- Chunukpur, Police Station- Ghoshi, Dist.- Jehanabad
 2. Awdhesh Prasad @ Awadhesh Yadav Son of Ramdahin Prasad Resident of Village- Chunukpur, Police Station- Ghoshi, Dist.- Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Lalita Kumari D/o Kapil Prasad Resident of Village- Lalji Bigha, Police Station- Islampur, Dist.- Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar
For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-06-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 498(A), 494, 341, 323, 34 of the I.P.C. and Section 3/4 of the Dowry Prohibition Act.

3. Earlier by order dated 06.07.2023 passed in Cr. Misc. No. 23323 of 2023, the prayer for anticipatory bail of the petitioners was rejected. Now, they have renewed their prayer for anticipatory bail.

4. Allegation against the petitioners is of committing



torture upon the victim due to non-fulfillment of the demand of dowry.

5. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that the petitioners are in-laws of the informant and there is no specific overt act against the petitioners. He further submits that the husband of the informant has been enlarged on bail by a co-ordinate bench of this court vide order dated 07.07.2023 passed in Cr. Misc. No. 26816 of 2023. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

6. Learned APP for the State opposes prayer for anticipatory bail.

7. Considering the facts and circumstances of the case and the fact that 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 Court below where the case is



pending/successor Court in connection with Mahila P.S. Case
No. 12 of 2022, subject to the condition as laid down under
Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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