

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30714 of 2024

Arising Out of PS. Case No.-79 Year-2023 Thana- MAHILA P.S. District- Bhojpur

1. Sri Kant Dubey Son of Late Vishwa Nath Dubey Resident of Village- Mahuwari, Police Station- Buxar Muffasil, District- Buxar
2. Mritunjay Dubey Son of Sri Kant Dubey Resident of Village- Mahuwari, Police Station- Buxar Muffasil, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uma Shankar Tiwary, Advocate
For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 21-09-2024 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Mahila PS case no. 79 of 2023, disclosing offences punishable under Sections 341, 323, 498A, 504, 506, 420 of the Indian Penal Code and Sections 3 and 4 of Dowry Prohibition Act.
3. The prosecution story, as per the First Information Report, is that on 21.05.2023, informant was married to co-accused Dhananjay Dubey and went to her matrimonial home. After sometime, her husband got the government job and thereafter, all accused persons started demanding four wheeler.



It is further alleged that on 20.07.2023, she went to Kolkata with her husband but there also, she noticed that her husband was talking to some other girls and on protest, she was tortured.

4. Learned Counsel for the petitioners submits that no such occurrence, as alleged, has taken place rather the informant never tried to consummate her marriage, for the reason that she wanted to marry a man of her choice. Learned counsel further submits that petitioner no. 1 is the father-in-law and petitioner no. 2 is the brother-in-law of the informant and they are innocent and false case has been lodged only to malign their reputation and to extort money. He also submits that there is general and omnibus allegation against the petitioners.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that the present case arises out of matrimonial dispute and general and omnibus allegation has been levelled against the petitioners, I am inclined to grant the privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.

7. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within six weeks, be



released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Bhojpur at Ara in connection with Mahila PS case no. 79 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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