

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27991 of 2024

Arising Out of PS. Case No.-254 Year-2023 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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1. Rita Kuer @ Rita Devi D/o- Late Moti Singh @ Moti Lal Singh, W/o- Ram Surat Singh R/o Village- Chandi , PS-Karakat , (Gorari) , Dist. Rohtas
 2. Savita Kumari @ Savita Devi D/o- Late Moti Singh @ Moti Lal Singh, W/o- Suresh Kumar R/o Village- Balu Bigha Ps- Aurangabad Dist- Aurangabad
 3. Sunita Devi D/o- Late Moti Singh @ Moti Lal Singh, W/o- Bimlesh Resident of Hajipur , Keshavnagar Lani , PS Lani , Dist. Gaziabad , U.P.
 4. Chinta Devi @ Mehta Chinta Devi D/o- Late Moti Singh @ Moti Lal Singh, W/o- Kameshwar Singh R/o Village- Narayan Nagar , Bachubhai , PS- Ahmadabad , Dist. Ahmadabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Kumari @ Kumari Priyanka D/o- Surendra Singh, W/o- Laljeet Kumar R/o Village- Rasulpur Po- Banjari Ps- Rohtas Dist- Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh, Advocate
For the Opposite Party/s : Mr.Md. Iftexhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-05-2024 Heard Mr.Rajani Kant Singh, learned counsel for the

petitioners and Mr.Md. Iftexhar Mahmood, learned Additional

Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Complaint Case No.254 of 2023, registered for
the offences punishable under Sections 341,323,379,498-
A,504,506/34 of the Indian Penal Code and Section 3/4 of the
D.P.Act but the cognizance has been taken under Sections



498A,324/34 of IPC and Section 3/4 of D.P.Act.

3. Allegation against the petitioners and other co-accused persons is of committing torture upon the victim due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case merely on the ground that the petitioners are married sisters-in-law of the complainant. Further submits that from a bare perusal of the complaint petition it appears that there is no specific allegation of any assault, overt-act or demand of dowry attributed against the petitioners rather there is general and omnibus allegation against all the accused persons including the petitioners and the petitioners are living in their own matrimonial home and they have no concern at all with the family affairs of the complainant.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, petitioners have clean antecedent and there is no specific allegation of any assault, overt-act or demand of dowry as alleged against the



petitioners, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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, Dehri, Rohtas in connection with Complaint Case No.254 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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