

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 31107 of 2024

Arising Out of PS. Case No.-59 Year-2024 Thana- MOHANIYA District- Kaimur (Bhabua)

1. Ayodhya Prasad Chaurasiya @ Ayodhya Prasad Son of Vishwanath Chaurasiya Resident of Ward no. 8, Sasaram, Chuna Bhatha Gali, Bauliya Mor, PS- Sasaram Town, Dist. Rohtas
2. Gyanti Devi Wife of Ayodhya Prasad Chaurasiya @ Ayodhya Prasad Resident of Ward no. 8, Sasaram, Chuna Bhatha Gali, Bauliya Mor, PS- Sasaram Town, Dist.- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Kumari Wife of Prakash Kumar Chaurasiya Resident of Village and P.O.- Dadar, P.S.- Mohania , Dist. Kaimur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Adv.
For the Opposite Party/s : Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 21-05-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Mohania P.S. Case No. 59 of 2024 dated 29.01.2024, instituted for the offence punishable under Sections 341, 323, 498A, 406, 504, 506 and 34of the Indian Penal Code.

3. The prosecution case, in short, is that the informant's marriage was solemnized with accused Prakash Kumar Chaurasiya on 06.02.2023 according to Hindu rites and rituals. The in-laws of the informant started creating pressure on

her for giving a car in dowry. For non-fulfillment of the same, she was physically and mentally harassed and thrown out of her *sasural*.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is submitted that petitioner no. 1 is the father-in-law of the O.P. No. 2 and petitioner no. 2 is the mother-in-law of O.P. No. 2. It is submitted that there is general and omnibus allegation against all accused persons including the petitioners. It has been submitted that petitioners have not demanded any dowry from the family of O.P. No. 2. It has been submitted that petitioners are living separately from the informant and they have no concern with the day to day affairs of the informant and her husband. It is also submitted that the informant fled away from the matrimonial house on 09.10.2023 for which a *panchayati* took place in which the petitioner no. 1 tried to convince the husband of the informant to live with her due to which the husband of the informant misbehave with the petitioners and being compelled with the circumstances, petitioner no. 2, Gyanti Devi, mother of the husband of the informant filed a Complaint Case No. 1081 of 2023 on 17.10.2023 in the Court of C.J.M., Rohtas at Sasaram against

Prakash Kumar Chaurasia, son of the petitioners. It is also submitted that the aforesaid case has been lodged much before filing of the present case. Lastly, it has been submitted that the petitioners have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners in connection with Mohania P.S. Case No. 59 of 2024, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., 1st Class, Mohania, District-Kaimur, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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