

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33077 of 2024

Arising Out of PS. Case No.-20 Year-2022 Thana- COMPLAINT CASE District- Supaul

1. Renu Devi W/O Late Kanhaiya Lal Bhagat @ Kanhailal Bhagat R/O Vill.- Araria Bhagat Tola Ward no. 28, P.S.- Araria, Dist.- Araria
2. Asha Devi W/O Dinanath Bhagat @ Bhikhari Bhagat R/O Vill.- Araria Bhagat Tola Ward no. 28, P.S.- Araria, Dist.- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tulsi Kumari D/O Shatrughan Bhagat W/O Chandan Bhagat R/O Vill.- Bhagwatpur, P.S.- Chhatapur, Dist.- Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Adv.
For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 31-07-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Complaint Case No. 20C of 2022 registered for the alleged offences under Section 323, 498A and 504 of the Indian Penal Code.

03. As per prosecution case, the allegation against the petitioners is that they tortured and treated the complainant with cruelty and the petitioners and other co-accused persons have been demanding Rs. 5 lakh in cash. Lastly, the complainant was driven out from her matrimonial home and the petitioners and other co-accused person detained her ornaments worth Rs. 10 lakh.

04. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The petitioners are mother-in-law and the wife of the maternal uncle of the husband of the complainant. The allegations are mostly general, vague and omnibus. No specific overt act has been alleged against the petitioners. The petitioners never demanded any dowry from the complainant and never tortured her. The petitioners even lived separate from the complainant and her husband. Learned counsel submits that moreover the marriage was solemnized in the year 2014 and one daughter was born but no allegation of any sort came prior to lodging of the instant complaint. The petitioners have got no criminal antecedent.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioners.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that petitioners are in-laws of the complainant and allegations are general and vague, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Court of A.C.J.M.-III, Supaul in connection with Complaint Case No.

20C of 2022, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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