

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35672 of 2024

Arising Out of PS. Case No.-179 Year-2023 Thana- BENIPATTI District- Madhubani

1. Sital Thakur Son of late Tilak Thakur R/o Vill.- Akour, P.S.- Benipatti, Dist.- Madhubani
2. Kakulati Devi w/o Sital Thakur R/o Vill.- Akour, P.S.- Benipatti, Dist.- Madhubani
3. Rubi Kumari D/O Sital Thakur R/o Vill.- Akour, P.S.- Benipatti, Dist.- Madhubani

... .. Petitioners

Versus

1. The State of Bihar
2. Sanjha Kumari W/o Pradeep Kumar Thakur R/o Vill.- Akour, P.S.- Benipatti, Dist.- Madhubani. At Present D/o Shiv Kumar Sharma, R/o Vill.- Raima, P.S.- Saharghat, Dist.- Madhubani

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate
For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-06-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In this present case, the petitioners are apprehending their arrest in connection with Benipatti P.S. Case No. 179 of 2023, registered on 08.08.2023 for the offences under Sections 341, 323, 504, 506, 379, 498(A)/34 of the Indian Penal Code and Section 3/4 Dowry Act.

3. As per prosecution case, the petitioners who are parents-in-law and sister-in-law respectively of the O.P. No. 2 along with other co-accused persons variously tortured the O.P.



No. 2/informant on account of demand of dowry and even tried to strangle her. Ultimately, she was driven out from her matrimonial home.

4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and has been falsely implicated in this case. The allegation against the petitioners is not believable as no chit of paper has annexed showing injury or treatment of the informant. The petitioners never demanded any dowry nor tortured the informant on this account. There is general and omnibus allegations against the petitioners and other accused persons. Petitioners are parents-in-law and unmarried sister-in-law and they are having clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail .

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioners are in-laws of the informant and there are general and vague allegations, let the petitioners above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand Only) each with two sureties of the like amount to the satisfaction of learned A.C.J.M., Benipatti, Madhubani/concerned court in connection with Benipatti P.S. Case No. 179 of 2023 subject to the conditions as 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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