

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37826 of 2024**

Arising Out of PS. Case No.-605 Year-2022 Thana- BHAGALPUR COMPLAINT CASE  
District- Bhagalpur

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1. Pushpa Devi @ Pushpa Prasad wife of Vijay Kumar
  2. Kunti Devi @ Kumti Devi wife of Late Jawahar @ Paras Nath.  
Both R/v- Railpar Ramkrishna Dangal Near Gupta Bhawan Ps- South Dhad  
ka post Asansol Dist- Asansol (West Bengal).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ambisha Shri D/o- Laxmi Narayan Lal R/o- Champa Nala Road Nath Nagar  
Ps- Nath Nagar Dist- Bhagalpur

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Vikram Singh, Advocate

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      26-06-2024                      Heard Mr.Vikram Singh, learned counsel for the  
  
petitioners and Mr.Mithlesh Kumar Khare, learned Additional  
  
Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in  
connection with C.A. Case No.605 of 2022,registered for the  
offences punishable under Sections 323, 498A/34 of IPC and  
Section 4 of Dowry prohibition 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 inlaws of the complainant and 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 rather there is general and omnibus allegation against all the accused persons including the petitioners and the learned court below after enquiry has taken cognizance against only three persons including the petitioners.

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, petitioner No.1 is sister-in-law and petitioner No.2 is mother-in-law of the complainant, 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, Bhagalpur in connection with C.A. Case No.605 of 2022, 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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