

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44231 of 2024

Arising Out of PS. Case No.-26 Year-2020 Thana- MAHILA P.S. District- Saran

1. Gyaneshwar Rai S/o Late Awadh Ray R/o vill - Jalal Basant, P.S. - Garkha, Distt. - Saran
2. Sushila Devi W/o Gyaneshwar Rai R/o vill - Jalal Basant, P.S. - Garkha, Distt. - Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rani Devi D/o Lal Mohan Rai, W/o Vikash Kumar Rai R/o vill - Jalal Basant, P.S. - Garkha, Distt. - Saran at Present R/o vill - Bhalua, P.S. - Marhaura, Distt. - Saran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Mahila P.S. Case No. 26 of 2020 dated 06.06.2020 instituted for the offence punishable under Section 341, 323, 498A/34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

3. The prosecution case, in short, is that the petitioners along with co-accused persons demanded additional dowry and on non-fulfilment of the same, they tortured and assaulted the informant. Thereafter, on 22.03.2020, they ousted the informant from her matrimonial house.



4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that petitioner nos. 1 & 2 are the father-in-law and mother-in-law of the informant respectively. There is no specific allegation against the petitioners rather the allegation against the petitioners are general and omnibus. Learned counsel for the petitioners further submits that the husband of informant has already been granted bail by the lower court itself. Learned counsel for the petitioners submits that the petitioners are residing separately from their son and daughter-in-law (informant). Petitioners have nothing to do with the family affairs of the informant and his husband. Lastly, it has been submitted that petitioners have no criminal antecedents.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory 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 within a period of six weeks from today, in connection with Mahila P.S. Case No. 26 of 2020, they will be released on 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 court of



Sub-Divisional Judicial Magistrate, Saran at Chapra, subject to
condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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