

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48049 of 2024

Arising Out of PS. Case No.-178 Year-2023 Thana- MOUZA HIDPUR District- Bhagalpur

1. Vishal Kumar Son of Shyam Sunder Chaudhary Resident of village - Kodadih, P.S.- Jasidih, District - Deoghar (Jharkhand).
2. Vikash Vineet Son of Shyam Sunder Chaudhary Resident of village - Kodadih, P.S.- Jasidih, District - Deoghar (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha, Advocate

For the Opposite Party/s : Ms. Sucheta Yadav, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 20-07-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 498(A), 306 and 120(B) of the Indian Penal Code as well as Sections 3 and 4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and have been falsely implicated in the present case by the informant being brother-in-law of the deceased.

4. It is further submitted that daughter of the informant was married to the brother of the petitioners in the year 2022 and the informant alleges that after marriage, the accused persons including the petitioners were demanding dowry of Rs.1 lakh,



LCD TV and a Bullet Motorcycle and on non-fulfillment of the demand, she was being tortured. Further, on 12.05.2023, the informant got an information that his daughter was admitted in JLNMCH, Bhagalpur Hospital for treatment, accordingly, the informant along with others reached the hospital where he came to know that his daughter committed suicide on account of torture being meted out by the accused persons including the petitioners.

5. Learned counsel for the petitioners submits that the deceased was posted with the R.P.F. at Bhagalpur where she was staying alone and the petitioner no. 1 is a student who resides at Deoghar in the State of Jharkhand and petitioner no. 2 works with the railways and is posted at Chandigarh. It is further submitted that when the occurrence took place, the deceased was alone in the house. It is next submitted that father of the deceased is a drunkard and he used to forcefully take the salary which she received, accordingly, being frustrated by the conduct of her father she committed suicide. It is also submitted that what is not in dispute rather stands admitted is that the deceased was staying alone at Bhagalpur where she was posted with the R.P.F. and the petitioners as recorded hereinabove were in Deoghar and Chandigarh, as such, when the occurrence took place no one was present in the house of the deceased. It is further submitted that the allegation of demand of dowry is general and omnibus in nature. It is next



submitted that the daughter of the informant was taken to the hospital for treatment by the staff of the R.P.F. It is also submitted that mother-in-law of the deceased had approached this Court seeking anticipatory bail by filing Cr. Misc. No. 42836 of 2024 and the same was allowed by an order dated 21.06.2024.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Mojahidpur P.S. Case No. 178 of 2023, G.R. No. 2977 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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