

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51126 of 2024

Arising Out of PS. Case No.-490 Year-2023 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

-
1. KAILASH @ LALAN SHARMA SON OF LATE RAMDARAS THAKUR (FATHER-IN-LAW) R/O- VILLAGE- ALIGANJ, P.S.- SURYAPURA, DISTT.- ROHTAS (SASARAM)
 2. MADHURAMAYAN SHARMA SON OF VIJAY KUMAR SHARMA (SISTER-LAW) R/O- VILLAGE- ALIGANJ, P.S.- SURYAPURA, DISTT.- ROHTAS (SASARAM)

... .. Petitioner/s

Versus

1. The State of Bihar
2. MANISHA KUMARI WIFE OF DHARMENDRA @ RAMAN SHARMA , D/O- KASHINATH SHARMA R/O- VILLAGE- JORAWARPUR, P.S.- KARAKAT, DIST.- ROHTAS (SASARAM)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Om Prakash Upadhyay, Adv.
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 20-11-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners are apprehending arrest in connection with Complaint Case No. 490 of 2023 in which cognizance has been taken under Sections 323, 498A I.P.C. and sections 3/4 of the Dowry Prohibition Act.

3. As per prosecution case, petitioners and others are said to have physically and mentally tortured the complainant. It is alleged that Rs. 2,00,000/- was set as pre-condition for keeping her in the matrimonial home. The father



of the complainant gave Rs. 50,000/- then complainant was taken to the matrimonial home, however, after some time she was against tortured for bringing the remaining money and ultimately, she was driven out of the matrimonial home .

4. Learned counsel for the petitioners submits that petitioner no. 1 is the father-in-law and petitioner no. 2 is the sister-in-law of the complainant. Petitioners are innocent and have committed no offence as alleged in the first information report and they have been falsely implicated in this case. Petitioners have nothing to do with the alleged occurrence. Petitioners have no say in the family affairs of the complainant and her husband. Petitioner no. 1 has criminal antecedent of one case in which he is on bail and petitioner no. 2 bears no criminal antecedent.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, the arguments advanced on behalf of both sides and taking into consideration the material available on record, the petitioners, above named, in the event of arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Rohtas in connection with Complaint Case No. 490 of 2023, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Alok Kumar Pandey, J)

mcverma/-

U		T	
---	--	---	--

