

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54371 of 2024

Arising Out of PS. Case No.-74 Year-2023 Thana- MAHILA PS District- Gaya

Suresh Prasad S/O Late Nanhak Prasad R/O Village- Dukhaharni Mandir, P.S- Kotwali, Distt.- Gaya (Bihar).

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Madhu Kumari W/O Manish Kumar Chaurasiya, D/O Late Mahesh Prasad R/O Shashti Nagar, Road No. 2 East, P.S- Rampur, Distt.- Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 20-09-2024 1. Heard learned Counsel for the petitioner and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Gaya Mahila PS case no. 74 of 2023, disclosing offences punishable under Section 498A and other allied sections of the Indian Penal Code.
3. The prosecution story, as per the First Information Report, is that on 15.05.2022, informant solemnized marriage with Manish Kumar Chaurasiya. At the time of marriage, approx. Rs. 20 lacs in cash, jewellery and other household article were given as dowry demand. Again, petitioner demanded Rs. 50 lacs from the mother and brother of the informant and



due to non-fulfilment of the same, the informant was tortured but with the help of her mother and brother-in-law, she came back to her maika.

4. Learned Counsel for the petitioner submits that petitioner is the father-in-law of the informant and neither he has demanded dowry from the informant nor assaulted her. Learned counsel further submits that entire prosecution story is concocted and fabricated and the fact is that informant herself has made the life of her in-laws miserable. He also submits that no specific allegation is levelled against the petitioner and general and omnibus allegations have been levelled against the entire family members including the petitioner. The petitioner is stated to be having no criminal antecedent.

5. Learned counsel for the informant has vehemently opposed the prayer for bail.

6. Regard being had to the submissions made on behalf of the parties and taking into account the fact that case involves matrimonial dispute and allegation levelled against the petitioner is general and omnibus as also the fact that the petitioner is father-in-law, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.



7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Gaya (Bihar) in connection with Gaya Mahila PS case no. 74 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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