

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59240 of 2024

Arising Out of PS. Case No.-877 Year-2019 Thana- GAYA COMPLAINT CASE District-
Gaya

-
1. Gulendra Yadav @ Gagendra Yadav @ Gagendra @ Gajendra Yadav S/o Prameshwar Yadav R/o Village -Manglichak, PS- Gurua, Dist- Gaya
 2. Shamfulwa Devi W/o Gulendra Yadav @ Gagendra Yadav @ Gagendra @ Gajendra Yadav R/o Village -Manglichak, PS- Gurua, Dist- Gaya
 3. Sharwan Yadav @ Sharwan Kumar S/o Gulendra Yadav @ Gagendra Yadav @ Gagendra @ Gajendra Yadav R/o Village -Manglichak, PS- Gurua, Dist- Gaya
 4. Rubi Devi @ Ruby Devi @ Rubi Kumari W/o Lalu Yadav R/o vill - Yugni, P.S. - Paraiya, Distt. - Gaya
 5. Vinay Yadav S/o Late Narayan Yadav R/o vill - Mahmadda, P.S. - Paraiya, Distt. - Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Munni Kumari W/o Late Shambhu Yadav, D/o Sohari Yadav R/o vill - Manglichak, P.S. - Gurua, At present R/o vill - Kishunpura, P.S. - Magadh Medical, Distt. - Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-08-2024 1. Learned counsel for the petitioners seeks permission to make rectification at para 8 of the anticipatory bail application in course of the day.

2. Permission is accorded.

3. Heard learned counsel for the petitioners and Mr. Rabindra Kumar learned A.P.P. for the State.

4. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 354, 406,



420 and 498(A) of the Indian Penal Code.

5. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent.

6. The complainant alleges that she was married to Shambhu Kumar five years ago and after marriage, the petitioners were torturing her for dowry but her husband was a gentleman who used to make her understand that times will change. It is further alleged that her husband died in an auto accident, thereafter an amount of Rs.3 lakhs was given by way of compensation by the owner of the auto and others on intervention of Panches and the compensation was received by Gulendra Yadav (petitioner no. 1 father-in-law of the complainant) for future of the complainant and it was also decided that she will be married to her brother-in-law Sharwan Yadav but if he refuses the amount of compensation shall be deposited in her account. It is next alleged that Sharwan Yadav used to act inappropriately and later refused to marry her, thereafter the complainant even decided not to marry Sharwan Yadav seeing his conduct. It is further alleged that the complainant was ousted from her matrimonial home and Gulendra Yadav and Vinay Yadad also made her sign on some blank paper and refused to give any share in the property nor



compensation amount as agreed was given.

7. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the complainant. It is further submitted that petitioners are father-in-law, mother-in-law, brother-in-law, sister-in-law and maternal father-in-law of the complainant. It is next submitted that the complainant has performed her second marriage with one Rohit Yadav, S/o Sokhendra Yadav, Resident of Village Sona Bigha, P.O. Churi, P.S. Chandauti, District Gaya. It is also submitted that two children were born out of the said wedlock with Rohit Yadav. It is further submitted that the instant complaint case has been instituted only with a view to harass the petitioners.

8. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners but then fairly submits that a specific statement at para 8 of the anticipatory bail application has been made about the second marriage of the complainant with Rohit Yadav based on a certificate issued by the Mukhiya dated 27.06.2024 (Annexure-2) and the authenticity of the said certificate requires to be verified.

9. Considering the submissions made by the learned counsel for the petitioners, let 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 Complaint Case No. 877 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

10. However, the complainant shall be at liberty to file an application seeking cancellation of the anticipatory bail granted to the petitioners if she has not performed her second marriage with Rohit Yadav.

(Satyavrat Verma, J)

Kundan/-

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

