

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60551 of 2024

Arising Out of PS. Case No.-57 Year-2023 Thana- EKANGARSARAI District- Nalanda

1. Arvind Singh @ Arbind Singh S/o- Late Rajendra Yadav Resident of Village - Sukhdev Bigaha, P.S. - Ekangar Sarai, District - Nalanda
2. Sunita Devi @ Sumanti Devi Wife of Arvind Singh Resident of Village - Sukhdev Bigaha, P.S. - Ekangar Sarai, District - Nalanda
3. Sangeeta Kumari @ Sangita Devi D/o- Mitranjan Singh Village- Nesari Bahapar Pashchim Ps- Karai Parsurai Dist- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sima Devi Wife of Shailesh Singh, D/o- Ajay Singh R/o- Muhmmadpur Ps- Fatuha Dist- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash

For the Opposite Party/s : Mr. Atul Chandra

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-10-2024 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), 494 and 34 of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioners submits that petitioners have antecedent of one case, but then police submitted final form. It is next submitted that the informant alleges that she was married to Shailesh about eight years ago



and after marriage, the accused persons started demanding dowry of Rs. 5 Lakhs, it is next alleged that a girl child was born out of the wedlock and thereafter again informant was carrying a pregnancy of seven months when she was ousted from her matrimonial home on 06.03.2023, it is next alleged that her husband has solemnized his second marriage with Sangeeta (petitioner no. 3).

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case being father-in-law, mother-in-law and second wife of Shailesh. It is next submitted that petitioner nos. 1 and 2 were not even aware that Shailesh has performed his second marriage. It is further submitted that Shailesh, concealing his earlier marriage, performed his second marriage with Sangeeta, as such, he also duped her knowing it very well that his marriage with Sangeeta was *void ab initio*. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the demand of dowry and torture against the petitioner nos. 1 and 2 is general and omnibus in nature and petitioner no. 3 herself is a victim of circumstance.

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



6. 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 trial court 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 trial court where the case is pending/successor court in connection with Ekangar Sarai P.S. Case No. 57 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. Accordingly, the instant anticipatory bail application is allowed.

(Satyavrat Verma, J)

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