

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63174 of 2024

Arising Out of PS. Case No.-96 Year-2024 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Brajesh Kumar Singh S/O Late Shiv Janam Singh R/O Village- Lehari, P.S-
Kochas, Distt.- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sushil Kumar S/O Late Gupteshwar Singh R/O Vill- Nio, P.S- Shivsagar,
Distt.- Rohtas and at present address R/O Mohalla- Company Sarai, Ward
No. 11, P.S- Sasaram, Distt.- Rohtas.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Kamal Deo Sharma
For the Opposite Party/s : Ms. Pushpa Sinha.1

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-09-2024 1. Heard learned counsel for the petitioner, learned

A.P.P. for the State and the learned counsel appearing on behalf

of the O.P. No. 2.

2. The petitioner apprehends his arrest in a case

registered for the offences punishable under Section 498(A) of

the Indian Penal Code.

3. Learned counsel for the petitioner submits that

petitioner is a person with clean antecedent and the complainant

alleges that his sister was married to Durgesh on 20.02.2017,

after marriage, the accused persons started demanding dowry of

Rs. 1.5 lakhs and a motorcycle, further on account of non-

fulfillment of the demand, his sister was tortured, thereafter, she



became pregnant, but accused persons continued with the torture and even pushed her leading to abortion, further on intervention of well wishers, Durgesh gave, in writing, an undertaking that he will keep his wife with honour and dignity, but again started torture, further victim gave birth to a child, but her husband kept the child and ousted her from her matrimonial home in 2023 and the victim presently is staying at Noida.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner, being brother-in-law, has been falsely implicated in the instant case by the complainant. It is also submitted that from perusal of the allegation as alleged in the complaint, it would manifest that the allegation against this petitioner is general and omnibus in nature. It is also submitted that whenever any dispute arises in between the husband and the wife, the entire family members are implicated in a mechanical manner with general, omnibus and ornamental allegation.

5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the O.P. No. 2 oppose the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his 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) 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 Complaint Case No. 96 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

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

(Satyavrat Verma, J)

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