

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67238 of 2024

Arising Out of PS. Case No.-237 Year-2022 Thana- DELHA District- Gaya

1. Sulendra Sahu @ Surendra Saw Son of Munshi Sao
2. Anueadha Devi Wife of Sulendra Sahu @ Surendra Saw
3. Akash Sahu @ Akash Kumar Son of Sulendra Sahu
All are resident of Village - Barki Delha, Paraiya Road, Near Ram Mandir,
P.S. - Delha, District - Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nisha Gupta Wife of Prakash Shahu @ Prakash Kumar Resident of Village -
Barki Delha, Paraiya Road, Near Ram Mandir, P.S. - Delha, District - Gaya.
At present D/o. Ashok Kumar, 59/E/5 Dagoli, P.S. - Dutiya Dagoli Govind
Nagar, District - Kanpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Praveen Kumar Ms. Anju Kumari Sinha
For the State	:	Mr. Nawal Kishore Prasad
For the informant	:	Mr. Ram Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 22-10-2024 1. Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Delha Police Station Case No. 237 of 2022, dated
22.07.2022, disclosing offences punishable under Section
498-A of the Indian Penal Code and Sections 3/4 of the
Dowry Prohibition Act.
3. The prosecution case, as per the First Information Report,
is that the marriage of the Opposite Party No. 2-informant
was solemnized with co-accused Prakash Sahu on



30.06.2020 and in the marriage, the father of the Opposite Party No. 2 had given Rs. 5,00,000/- in cash and ornaments of Rs. 2,00,000/-. It has been alleged that soon after the marriage, the petitioners, along with other co-accused, petitioner, used to demand dowry and due to non-fulfillment of the said demand, they used to torture the Opposite Party No. 2, physically as well as mentally and the accused persons have also kept the five-months old child of the Opposite Party No. 2 with them.

4. Learned Counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and they have falsely been implicated in this case. He further submits that the petitioner no. 1 is the father-in-law, petitioner no. 2 is the mother-in-law and the petitioner no. 3 is the brother-in-law (dewar) of the Opposite Party No. 2. He further submits that the petitioners have never demanded dowry from the Opposite Party No. 2 and/or his father and the Opposite Party No. 2 has left the house out of her own will. He next submits that there is no specific overt act alleged against the petitioners and the allegations levelled in the First Information Report is general and omnibus in



nature.

- 5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the nature of allegation levelled in the First Information Report and the fact that the petitioners are the father-in-law, mother-in-law and brother-in-law (dewar) of the Opposite Party No. 2 and there is general and omnibus allegation against them, I am inclined to grant the petitioners privilege of anticipatory bail.
- 6. This application is, accordingly, allowed.
- 7. Let the petitioners, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, 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 Judicial Magistrate, 1st Class, Gaya, in connection with Delha Police Station Case No. 237 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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