

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65220 of 2024

Arising Out of PS. Case No.-47 Year-2024 Thana- Shahartelpa P.S. District- Arwal

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1. Suresh Chaudhary Son of Ramu Chaudhary Resident of Village- Shahar Telpa, P.S.- Shahar Telpa Karpi, Distt.- Arwal
 2. Vikash Chaudhary Son of Suresh Chaudhary Resident of Village- Shahar Telpa, P.S.- Shahar Telpa Karpi, Distt.- Arwal
 3. Priyanka Devi Wife of Sujit Kumar Resident of Village- Shahar Telpa, P.S.- Shahar Telpa Karpi, Distt.- Arwal
 4. Meena Devi Wife of Vikash Chaudhary Resident of Village- Shahar Telpa, P.S.- Shahar Telpa Karpi, Distt.- Arwal

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajendra Chaudhary Son of Sukhadi Chaudhary Resident of Village- Shivganj, P.S.- Shahar Madanpur, Distt.- Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Adv.
For the Opposite Party/s : Mr. Narendra Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-10-2024 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners apprehend their arrest in connection with Sahar Telpa P.S. Case No. 47 of 2024 registered for the offences punishable under Sections 341, 323, 498(A), 304, 427 and 34 of the Indian Penal Code.

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



4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that petitioner nos. 1, 2, 3 and 4 are father-in-law, brother-in-law, married sister-in-law (*nanad*) and sister-in-law (*gotni*) of the informant. It is next submitted that the informant alleges that his daughter was married to Pradip in the year 2012, but after marriage, the accused persons including the petitioners used to torture her daughter for dowry, further on 28.05.2024 all the accused assaulted her and thereafter, Pradip informed the informant that his daughter has committed suicide, accordingly he reached the place of occurrence and saw that his daughter was alive but was admitted in a hospital, further it is alleged that all of a sudden 20 unknown persons came and started assaulting the informant and his side when they were standing outside of the hospital on account of which one Sushil Kumar received injury on head while informant and others received injury by broken glass of the vehicle. It is further submitted that from perusal of allegation as alleged in the FIR, it would manifest that though the informant alleges that his daughter was tortured for dowry after marriage, but then the allegation is general and omnibus. It is also submitted that it does not appear probable that the



accused persons would have been torturing the victim for dowry even after 12 years of marriage as the instant case came to be instituted in the year 2024. It is next submitted that there is no specific allegation of assault against the petitioners. It is next submitted that allegations as alleged in the FIR are in two part, the informant is not an eye-witness to the occurrence as alleged in the first part and in the second part, the informant has not alleged petitioners have assaulted him and his side. It is also submitted whenever any dispute arises between husband and the wife, the entire family members are implicated in a mechanical manner is general and omnibus and ornamental. It is also submitted that husband of the victim is availing his remedies available in law.

5. Learned APP 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 Court below within a period of six weeks, are directed to be released on bail on furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Arwal in



connection with Shahar Telpa P.S. Case No. 47 of 2024, subject
to the conditions laid down under Section 438(2) of the Cr.P.C.

7. Accordingly, the application stands allowed.

(Satyavrat Verma, J)

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