

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63923 of 2022

Arising Out of PS. Case No.-5 Year-2022 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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1. PUNITA DEVI @ RITA DEVI Wife of Ram Lakhan Kamat Resident of village - Khirkhiriya Tola, P.S.- Kaluahi, District - Madhubani
 2. Ram Lakhan Kamat Son of Jhhallu @ Narayan Kamti Resident of village - Khirkhiriya Tola, P.S.- Kaluahi, District - Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chhoti Devi Wife of Sujit Kamat Resident of village - Khirkhiriya Tola, P.S.- Kaluahi, District - Madhubani At present address D/o Raj Kishore Kamat, Resident of village - Bankatta, District - Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha, Adv.
For the Opposite Party/s : Mr.Parmanand Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 08-01-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Though the notice has validly been served upon the
Opposite Party No.2, but nobody appears on her behalf.

3. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 498(A),
323, 379, 504, 34 of the Indian Penal Code and Section 3 of
Dowry Prohibition Act.

4. Allegedly, all the accused persons including the
petitioners are said to have tortured upon the complainant



physically and mentally and ousted her from the matrimonial home in association of other family members over the dowry demand.

5. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners are mother-in-law and father-in-law of the complainant, respectively. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The husband of the complainant has already been granted bail by a co-ordinate Bench of this Court vide order dated 03.08.2023 in Cr. Misc. No. 64967 of 2022. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

6. Learned APP for the State opposed the prayer for bail.

7. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of



Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with C.R. No. 05 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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