

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67046 of 2024

Arising Out of PS. Case No.-283 Year-2023 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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1. Soniya Devi Wife of Late Ram Prasad Sharma Resident of Village - Bhadaul, Post - Satighat, Police Station - Kusheshwar Asthan, District - Darbhanga
 2. Ram Chandra Sharma Son of Late Ram Prasad Sharma Resident of Village - Bhadaul, Post - Satighat, Police Station - Kusheshwar Asthan, District - Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rinki Devi Wife of Sanjeet Sharma Resident of Village - Bhadaul, Post - Satighat, Police Station - Kusheshwar Asthan, District - Darbhanga. Present Address- daughter of Hareram Sharma, Resident of Village - Paro, Police Station - Kusheshwar Asthan, District - Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 03-10-2024 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Complaint case no. 283 of 2023, disclosing offences punishable under Section 498(A) and other allied sections of the Indian Penal Code.
3. The prosecution story, as per the complaint petition, is that marriage of the complainant was solemnized with co-accused Sanjeet Sharma in the year 2007. It has been



alleged that after marriage, the accused persons demanded Rs. 2 lacs as dowry and due to non-fulfilment of the same, they abused, assaulted and tortured the complainant. It has further been alleged that co-accused Sanjeet Sharma has solemnized second marriage with one Bachchi Devi in the year 2018.

4. Learned Counsel for the petitioners submits that petitioner no. 1 is mother-in-law and petitioner no. 2 is brother-in-law of the complainant and allegation against them is general and omnibus in nature. Learned counsel further submits that the marriage between complainant and co-accused Sanjeet Sharma was solemnized about 17 years back. As per the complaint petition, co-accused Sanjeet Sharma has performed second marriage in the year 2018 but the complaint has been filed in the year 2023. He also submits that the entire family members have been implicated in this case due to dispute between husband and wife.

5. Learned counsel for complainant- opposite party no. 2 opposed the prayer for bail and submits that complainant's husband has performed second marriage with another lady during subsistence of first marriage.

6. Regard being had to the submissions made on behalf of the parties and taking into consideration the nature of



allegation and the fact that petitioner no. 1 is mother-in-law of the complainant, aged about 75 years and petitioner no. 2 is her brother-in-law having no specific allegation, I am inclined to grant the privilege of anticipatory bail to the petitioners.

7. This application is, accordingly, allowed.

8. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st class, Biraul, Darbhanga in connection with complaint case no. 283 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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