

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77600 of 2023

Arising Out of PS. Case No.-165 Year-2023 Thana- BARGAINIA District- Sitamarhi

1. BINDESHWAR RAM son of Late Brij Ram Village- Shanti Nagar Bairania W.No-18, Ps- Bairania Dist- Sitamarhi
2. Sheela Devi wife of Bindeshwar Ram Village- Shanti Nagar Bairania W.No-18, Ps- Bairania Dist- Sitamarhi
3. Niraj Kumar son of Bindeshwar Ram Village- Shanti Nagar Bairania W.No-18, Ps- Bairania Dist- Sitamarhi
4. Raja Ram son of Bindeshwar Ram Village- Shanti Nagar Bairania W.No-18, Ps- Bairania Dist- Sitamarhi
5. Guriya Devi @ Guriya Kumari wife of Rajaram Ram Village- Shanti Nagar Bairania W.No-18, Ps- Bairania Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar, Adv.
For the Opposite Party/s : Mrs.Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 11-01-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Bairania P.S. Case No. 165 of 2023 dated 12.07.2022 registered for the offences punishable u/ss 341, 323, 376, 498A, 504 and 511 of the Indian Penal Code.

3. As per the prosecution case, the petitioners and the co-accused persons are alleged to have tortured the informant mentally and physically due to non-fulfillment of demand of



dowry. It is further alleged that the petitioner Niraj Kumar and Raja Ram (brother-in-law of the informant) outraged the modesty of the informant and also assaulted her.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. It is further submitted that the husband was not made accused in this case. The petitioners neither demanded any dowry nor tortured the informant. The petitioner no. 1 is the father-in-law, petitioner no. 2 is the mother-in-law, the petitioner no. 3 and 4 are the brother-in-law and the petitioner no. 5 is the sister-in-law of the informant and the petitioners have no concern with the alleged offence. The allegation against the petitioners is that they outraged the modesty of the informant is ornamental because they are living separately from the informant. The petitioner no. 2 to 5 have no criminal antecedent whereas the petitioner no. 1 has one criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners, let the above named petitioners, in the event of their



arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Sitamarhi in connection with Bairagania P.S. Case No. 165 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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