

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80276 of 2024

Arising Out of PS. Case No.-46 Year-2024 Thana- MAHILA P.S. District- Samastipur

1. Pankaj Poddar @ Pankaj Kumar Son of Arun Poddar R/O-Village- Pokhraise, P.S.- Muffasil, District- Samastipur
2. Arun Poddar Son of Late Jagdish Poddar R/O-Village- Pokhraise, P.S.- Muffasil, District- Samastipur
3. Chotu Poddar @ Chotu Kumar Son of Arun Poddar R/O-Village- Pokhraise, P.S.- Muffasil, District- Samastipur
4. Sabita Devi D/O- Late Jagdish Poddar, Wife of Kameshwar Poddar R/O- Village- Mohiuddinpur, P.S.- Warisnagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vasant Vikas, Advocate
For the Opposite Party/s	:	Mrs. Pronoti Singh, APP
For the Informant	:	Mr. Binod Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-12-2024 Heard learned counsel for the petitioners and learned A.P.P.

for the State assisted by learned counsel for the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 498A, 342, 323 & 376/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. The petitioners are in-laws of the informant. There is allegation of harassment of the informant due to non-fulfillment of demand of dowry and also of sexual assault against the petitioners.



4. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that petitioner no.1 is the Bhaisur, petitioner no.2 is father-in-law, petitioner no.3 is the Devar and petitioner no.4 is the Fhuua of the informant's husband, who is residing at different place. It is further submitted that informant's behaviour was abnormal, which was realized by all the family members and she was taken to clinic of Dr. Baxi Abhishek Saran, where it was informed that the informant having mental problem since her childhood. When this fact was narrated to informant's family members they got lodged this false and frivolous case against the petitioners and others. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State assisted by learned counsel for the informant opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, 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 Mahila P.S. Case No.46 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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