

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80526 of 2024

Arising Out of PS. Case No.-11 Year-2019 Thana- COMPLAINT CASE District- Supaul

1. Geeta Devi Wife of Mogal Yadav @ Bhogal Yadav Both resident of -village- Jibachhpur, PS- Gamharia, Distrcit- Madhepura
2. Mogal Yadav @ Bhogal Yadav Son of Late Madhukar Yadav Both resident of -village- Jibachhpur, PS- Gamharia, Distrcit- Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dulari Devi Wife of Pawan Kumar, D/O- Uttam Yadav Both resident of -village- Ekma, PS- Supaul, Distrcit- supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar
For the Opposite Party/s : Ms.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 10-12-2024
1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
 2. This application, for grant of anticipatory bail, arises out of Complaint Case No. 11 of 2019, in which cognizance has been taken for the offences punishable under Section 498-A of the Indian Penal Code and Section 3/4 of the Dowry prohibition Act.
 3. The prosecution case, as per the First Information Report, is that the marriage of the Opposite Party No. 2 was solemnized with the son of the petitioners in the year 2015 and the Opposite Party No. 2 was blessed with a



son. It has been alleged in the complaint petition that the petitioners, along with other co-accused persons used to demand Rs. 2,00,000/- and one bullet as dowry from the Opposite Party No. 2 and due to non-fulfillment of the said demand, the Opposite Party No. 2 was tortured, both mentally as well as physically, and the accused persons ouster her from her matrimonial home on 26.04.2017.

4. Learned Counsel for the petitioners submits that the petitioners are the mother-in-law and father-in-law of the Opposite Party No. 2. He further submits that the Opposite Party No. 2 has implicated the petitioners just to harass them with mala fide intentions and ulterior motive. He further submits that the petitioners never demanded dowry from the Opposite Party No. 2 inasmuch as they live separately from the Opposite Party No. 2 and her husband and they have no control over their day-to-day affairs.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the allegation against the petitioners is general and omnibus in nature and they happen to the mother-in-law and father-in-law of the Opposite Party No. 2, I am



inclined to grant the petitioners privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Supaul, in connection with Complaint Case No. 11 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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