

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81600 of 2023

Arising Out of PS. Case No.-52 Year-2022 Thana- MAHILA P.S. District- Rohtas

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1. Anil Singh @ Anil Pratap Singh Son of Late Kedar Singh Resident of Village - Panchpokhari, P.S. - Kudra, District - Kaimur (BHABHUA)
 2. Gudiya Devi Wife of Anil Singh @ Anil Pratap Singh Resident of Village - Panchpokhari, P.S. - Kudra, District - Kaimur (BHABHUA)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anjali Kumari Wife of Munna Kumar, Daughter of Vijay Kumar Singh Resident of Village - Kaupa, P.S. - Akodhigola, District - Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvnendra Kumar Thakur
For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest in connection with Mahila P.S. Case No. 52 of 2022 registered for the offence punishable under Sections-341, 323, 498A, 494, 504, 506, 34 of the Indian Penal Code and ¾ of Dowry Prohibition Act.

3. Prosecution case in short is that the informant was married with one Munna Kumar Singh in 2018. The further allegation is that the accused persons started demanding dowry and threatened to solemnize second marriage to said Munna Kumar with another lady, if money demanded by the accused persons is not paid. It is also alleged that Munna Kumar Singh has solemnized second



marriage with Riya Kumari.

4. It has been submitted on behalf of the petitioners that they are innocent and have falsely been implicated in the present case. The petitioner No. 1 is brother-in-law of the informant whereas petitioner No. 2 is wife of petitioner No. 1. They have no concern with day-to-day affairs of the couple. He has further submitted that while rejecting the anticipatory bail petition of petitioner No. 1, the learned court below has mentioned that Rs. 2,00,000/- was transferred by father of the informant in the bank account of petitioner No. 1 for running his rice mill.

4. On the other hand, learned APP appearing for the State as well as learned counsel for the informant has opposed the prayer for anticipatory bail. Learned counsel appearing for the informant has submitted that at the instance of petitioner No. 1, his younger brother has solemnized second marriage. He has submitted that Rs. 4,00,000/- was transferred in the bank account of the petitioner No. 1 and Rs. 90,000/- was paid to him in cash by father of the complainant.

5. From perusal of the impugned order, whereby the anticipatory bail of the petitioner No. 1 was rejected, the learned court below has mentioned that the petitioner No. 1 has received Rs. 2,00,000/- in his bank account. Learned counsel for the petitioners has further submitted that the petitioner No. 1 is ready to return the amount to the informant's father in monthly installments of Rs.



50,000/-

6. Considering the above-mentioned facts and circumstances of the case, let the petitioners named above, in the event of their arrest or surrender within a period of four 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 Sub Judge-IX-cum-ACJM, Sasaram, Rohtas in connection with Mahila P.S. Case No. 52 of 2022 subject to the conditions as laid down under Section 438 of the Cr.P.C.

7. The first installment of an amount of Rs. 50,000/- shall be deposited at the time of furnishing bail bond through bank draft. Thereafter, the remaining amount will be paid within five months.

8. Learned counsel for the O.P. No. 2/informant will furnish the bank account of informant's father to the petitioner subject to verification of the account of the petitioner.

(Nawneet Kumar Pandey, J)

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