

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83934 of 2023

Arising Out of PS. Case No.-36 Year-2023 Thana- MAHILA PS District- Aurangabad

1. Neha Singh @ Neha Wife Of Pintu Singh @ Shashi Shankar Resident Of Flat No. 502 (4TH Floor), Ashtha Ram Chandra Apartment, J.C. Mallick Road, P.S.- Dhanbad, District- Dhanbad (JHARKHAND)
2. Divya Singh @ Vidya Kumari Wife Of Vaibhav Singh @ Vaibhav Anand Resident Of House No. 91, Sanjay Nagar, Katras Road Matrkuria, P.S.- Bankmore, District- Dhanbad (JHARKHAND)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ram Shankar Prasad
For the Opposite Party/s	:	Mr. Surendra Prasad Singh
For the Informant	:	Mr. Vyas Kr. Mishra

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 06-05-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State along with learned counsel appearing on behalf of the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 498A and 34 of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and have been falsely implicated in the instant case by the informant. It is further submitted that petitioners are married sister-in-laws



(*Nanad*) of the informant. It is further submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the same does not inspire confidence. It is next submitted that in sum and substance the informant alleges that she was married to the brother of the petitioners and after marriage, the family members were demanding dowry and for non-fulfillment of the demand, the informant was being tortured and the accused persons including the petitioners tried to set her ablaze, but on alarm, neighbours came and saved her.

4. The learned counsel for the petitioners next submits that petitioner have been falsely implicated in the instant case in order to coerce their brother into submission. It is next submitted that though informant alleges that on alarm, neighbours came, but then name of the neighbours is not disclosed in the FIR which casts an aspersion on the case of the prosecution. It is also submitted that if all the accused persons including the petitioners intended to set the informant ablaze then the informant alone could not have been in a position to save herself which further demonstrates the falsity of the allegation. It is also submitted that allegation of demand of dowry and torture is general and omnibus in nature.

5. Learned A.P.P. for the State along with learned



counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioners, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that the name of the neighbours is not disclosed in the FIR and petitioners are married sister-in-laws and resides separately.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mahila P.S. Case No. 36 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. Accordingly, the present anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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