

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84098 of 2023

Arising Out of PS. Case No.-365 Year-2021 Thana- SHERGHATI District- Gaya

1. Bhola Paswan @ Bhola Prajapat Son Of Jhari Prajapat R/O Village- Manipar (NIGRI), P.S.- Dobhi, Dist.- Gaya
2. Anita Devi @ Kunti Devi W/O Bhola Prajapat R/O Village- Manipar (NIGRI), P.S.- Dobhi, Dist.- Gaya
3. Jyoti Kumari D/O Kanhai Prajapat R/O Village- Lakhanpura, P.S.- Vishnupad, Dist.- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
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 registered for the offence punishable under Sections 494, 498A of the Indian Penal Code and Section 3/4 of the D.P. Act.

3. Petitioners, who are family members of husband of the opposite party no2., are said to have ousted the opposite party no.2 from her matrimonial home in association of his family members over the dowry demand.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that the petitioner no. 1 and 2 are father-in-law and mother-in-law of the opposite party no. 2 and petitioner no. 3 is alleged to be second wife of husband of the



opposite party no. 2. It is surprising enough that prior to the instant case, the same informant has filed complaint case No. 1609 of 2018 against the petitioners in which the learned court below took cognizance under Sections 323, 494, 498A/34 of the IPC. He submits that there is no specific overt act against the petitioners. He further submits that petitioners have one criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 court below where the case is pending/successor court in connection with Sherghati (Dobhi) P.S. Case No. 365 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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