

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85976 of 2024

Arising Out of PS. Case No.-21 Year-2024 Thana- MAHILA PS District- Gopalganj

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1. Subhawati Devi @ Subhawati Mishra W/o Indubhushan Tiwary @ Indubhushan Mishra @ Indubhushan
 2. Indubhushan Mishra @ Indubhushan @ Indubhushan Tiwary S/o Late Radha Mishra
Both R/o Village- Dighwa, PS- Bhore, Distt- Gopalganj. At present R/o House no. B1/14B, C9 Assi Nala, P.S. - Bhelupur, Distt.- Varanasi, U.P.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sapna Devi D/o Birendra Kumar Ojha R/o vill - Pandey Chakiya, P.S - Bhore, Distt.- Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-12-2024

1. Heard learned counsel for the parties.

2. The petitioners in this application pray for bail apprehending their arrest in connection with Gopalganj (Mahila) P.S. Case no.21 of 2024 registered for the offence punishable under sections 498A, 341, 342, 323, 406, 506 and 34 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

3. As per the prosecution case, the informant states that she was married to the son of the petitioners herein in the year 2019. At the time of marriage, Rs.8 lacs in cash and gifts



worth Rs.7 lacs was given by her parents. It is further alleged that soon after marriage, the accused persons including the two petitioners herein started to torture the informant for further demand of dowry by way of Rs.5 lacs and a four wheeler vehicle. She was abused and assaulted by all accused.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case only for the reason that they happen to be mother-in-law and father-in-law of the informant. They have been separate in mess and residence from the informant and her husband ie their son and have no concern with their internal family affairs. Further referring to the statement made in paragraph no.12 of the petition, learned counsel for the petitioners submits that the mother-in-law of the informant is suffering from stage IVA Cancer and is undergoing treatment at Institute of Medical Sciences, B.H.U., Varanasi. The petitioners have no criminal antecedent and undertake to cooperate in the case.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the general and omnibus allegation against the petitioners in the FIR, the petitioners being the



mother-in-law and father-in-law of the informant together with them not having any criminal antecedent, it is directed that the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, be released on anticipatory bail in connection with Gopalganj (Mahila) P.S. Case no.21 of 2024 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Gopalganj.

(Partha Sarthy, J)

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