

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86074 of 2023

Arising Out of PS. Case No.-56 Year-2023 Thana- TISIAUTA District- Vaishali

1. Brajkishore Choudhary @ Vrij Kishor Choudhary S/o Late Paltan Choudahry Resident of Village-Shahpur, P.S- Tisiauta, District-Vaishali.
2. Anila Devi W/o Braj Kishor Choudhary @ Vrij Kishor Choudhary Resident of Village-Shahpur, P.S- Tisiauta, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajeev Ranjan II, Advocate Ms. Priyanka Kumari, Advocate Ms. Anjana Gupta, Advocate Ms. Kumari Rupa, Advocate
For the Opposite Party/s	:	Mr. Arvind Kumar Pandey, App 84

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State as well as learned counsel for the informant.

2. The petitioners apprehend arrest in connection with Tisiauta P.S. Case No. 56 of 2023 dated 02.07.2023 instituted for the offence punishable under Sections 341, 323, 498(A), 313, 504, 506/34 of the Indian Penal Code and ³/₄ Dowry Prohibition Act.

3. The prosecution case, in short, is that the marriage of the informant was solemnized with Animesh Kumar @ Roshan on 02.05.2021. After marriage, the petitioners along with other co-accused persons demanded five lakh rupees in



dowry and due to non-fulfilment of the said demand, she was subjected to torture and cruelty. In the meantime, she became pregnant. It is alleged that the petitioners along with other co-accused persons assaulted on her abdomen with legs, bottles etc., which caused miscarriage of her pregnancy.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that petitioners are father-in-law and mother-in-law of the informant. The husband of the informant is languishing in jail. Learned counsel for the petitioner submits that as per the allegation, the incident occurred on 12.05.2023 while the F.I.R. has been lodged on 02.07.2023 without any explanation for such long delay. Lastly, it has been submitted that petitioners have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioners and submits that the petitioners and other accused persons demanded dowry from the informant. Even after lodging the F.I.R., they demanded the dowry.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in



the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Tisiauta P.S. Case No. 56 of 2023, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-V, Vaishali at Hajipur subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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