

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.89140 of 2024

Arising Out of PS. Case No.-501 Year-2020 Thana- GAYA COMPLAINT CASE District- Gaya

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1. Suryadeo Paswan S/O Late Sitaram Paswan R/O Village- Chourhar Tola, Ramgarh, P.S- Magadh Medical, Distt.- Gaya.
 2. Lalti Devi @ Lalti Kumari W/O Suryadeo Paswan R/O Village- Chourhar Tola, Ramgarh, P.S- Magadh Medical, Distt.- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Usha Kumari W/O Siddharth Kumar Bharti, D/O Dilip Paswan R/O Village- Chourhar Tola, Ramgarh, P.S- Magadh Medical, Distt.- Gaya. At Present R/O Village- Dusadh Bigha, P.S- Konch, Distt.- Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Navinam

For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-01-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Complaint Case No.501 of 2020 disclosing offences under Sections 341, 323, 379, 307, 504, 494, 498 (A)/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

3. As per the allegation made in the complaint, the marriage of the complainant was solemnized with the co-accused Siddharth Kumar Bharti on 07.05.2017. After the



marriage, the co-accused persons including the petitioners, demanded Rs.4,00,000/- as dowry. On 12.01.2019, co-accused persons assaulted the complainant for dowry and the petitioner No.1 caught hair of the complainant, slapped her and petitioner No.2 poured kerosene on her body and the husband, Siddharth Kumar Bharti lighted the matchstick, due to which she was badly burnt. However, no case was filed for that incident of 2019. The husband of the complainant solemnized another marriage on 16.05.2020. The complainant was then ousted from her matrimonial home by the accused persons.

4. Learned Counsel for the petitioners submits that the petitioners are father-in-law and mother-in-law of the victim girl, having no concern with the matrimonial dispute of the husband and wife. There is no specific allegation of demand of dowry against the petitioners and the allegation of demand of dowry is general and omnibus in nature for the occurrence, which allegedly took place in 2019, the present complaint has been lodged on 19.06.2020 due to the fact that the co-accused, Siddharth Kumar Bharti has solemnized his second marriage.

5. On the other hand, learned counsel for the State, vehemently opposed the prayer for anticipatory bail and submits that there is specific allegation against the petitioners that they



tried to burn the complainant in 2019 and learned Additional Sessions Judge-V, Gaya, has seen the burning signs on the body of the complainant in the Court room.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioners are father-in-law and mother-in-law of the complainant and the entire family members, i.e. altogether 7 persons, have been made accused, I am inclined to grant the petitioners privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Gaya, in connection with Complaint Case No.501 of 2020, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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