

Patna High Court - Orders

Muni Devi vs The State Of Bihar on 29 April, 2023

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No. 70971 of 2022

Arising Out of PS. Case No.-403 Year-2022 Thana- GOVINDGANJ District-  
Champaran

- =====
1. Muni Devi Wife of Harendra Mishra Resident of Village- Mishrauliya, P. Govindganj, District- East Champaran
  2. Harendra Mishra Son of Late Dwarika Mishra Resident of Village- Mishrauliya, P.S.- Govindganj, District- East Champaran

... ..  
Versus

1. The State of Bihar
2. Pallavi Kumari D/O Om Kumar Tiwari Resident of Village- Chandpur, P.S.- Sangrampur, District- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate  
For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA  
ORAL ORDER

2 29-04-2023 Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

The accused/petitioners are named in F.I.R. and apprehending their arrest in connection with Govindganj P.S. Case No. 403 of 2022 registered for the offences punishable under Sections 498-A, 323, 406, 504, 379, 307, 506 and 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Patna High Court CR. MISC. No. 70971 of 2022(2) dt.29-04-2023 The allegation against these petitioners is to commit cruelty upon informant along with other co-accused persons/family members due to non-fulfillment of the demand of dowry, as raised for a four wheeler vehicle.

Learned counsel appearing on behalf of the petitioners submitted that petitioners were implicated with present case only for the reason that they are mother-in-law and father-in-law of the informant and are parents of the main co-accused against whom thrust of allegation is available. It is submitted that petitioners having of no control on daily and domestic affairs as they are not connected in any manner with routine life of informant and her husband. While concluding the argument it is submitted that both petitioners are living separately and they are of clean antecedent.

Learned APP opposes the prayer of bail.

Considering the aforesaid facts and circumstances as petitioners are in-laws, where implication appears only being parents of the husband of the informant, accordingly, both above named petitioners, in the event of their arrest or surrender before the Court below, are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Patna High Court CR. MISC. No. 70971 of 2022(2) dt.29-04-2023 Additional Chief Judicial Magistrate, Motihari, East Champaran/concerned Court, where the case is pending in connection with Govindganj P.S. Case No. 403 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J) Archana/-

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