

IN THE COURT OF THE SESSIONS JUDGE, BHAGALPUR

Anticipatory Bail Application No. 2652/2022

Complaint Case No. 134/2019

Prem Sharma & others Vs. The State of Bihar

Sl. No.	Date of order or proceeding	Order with signature of the Court
1	2	3
	11-10-2022	This is an application U/s 438 Cr.P.C. seeking pre-arrest bail by accused petitioners, namely, 1. Prem Sharma, 2. Sabita Devi, 3. Birendra Sharma and 4. Annu Sharma, in connection with Complaint Case No. 134/2019 registered under Section 498(A)/34 of Indian Penal Code and under Sections 3 and 4 of Dowry Prohibition Act. The prosecution case in short is that the complainant Pushpam Kumari @ Pushpa Kumari got married with Rakesh Sharma on 01-02-2013. After marriage, the accused persons started demanding Rs. 5 lac cash from her as dowry and on nonfulfillment thereof they tortured her physically and mentally and ultimately ousted her from her matrimonial house. Heard Sri Sunil Kumar, learned counsel for the petitioners and Sri Vijay Kumar Singh, learned Public Prosecutor I/C for the State. The learned counsel for the petitioners has submitted that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. Entire allegations against the petitioners are false and concocted. It has further been submitted that the petitioners are father-in-law, mother-in-law, brother-in-law and sister-in-law of the complainant. It has further been submitted that the petitioners are ready to co-operate in settlement of dispute between the complainant and her husband. The allegation against the petitioners are general and omnibus in nature. The petitioners bear clean antecedent. Out of four petitioners, two petitioners are women. Hence, the petitioners may be granted anticipatory bail. On the other hand, learned Public Prosecutor I/C though opposed the prayer for anticipatory bail but fairly conceded that the petitioners are in-laws of the complainant. Perused the record. The petitioners are in-laws of the complainant. The allegation against them appears to be general and omnibus in nature. Out of four

	Contd. 11-10-2022	Anticipatory Bail Application No. 2652/2022 petitioners, two petitioners are women. The case is based on complaint petition. Considering the aforesaid facts and circumstances of the case, as discussed above, this anticipatory bail application of the petitioners is allowed. It is ordered that in the event of arrest or surrender before the learned court below within four weeks from the date of this order, the above named four petitioners shall be released on bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of like amount each to the satisfaction of learned court below subject to the conditions as laid down under Sub-clause (2) of Section 438 of the Code of Criminal Procedure. Sd/- Sessions Judge I/C.
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