

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29152 of 2014

Arising Out of PS.Case No. -34 Year- 2013 Thana -MAHILA PS District- GAYA

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1. Hajari Chauhan, son of Late Sita Chauhan.
 2. Shiv Barati Devi @ Shivrati Devi, wife of Hajari Chauhan.
 3. Munna Chauhan, son of Hajari Chauhan, all residents of village Khudai Tola Beldari , P.S. Khizer Sarai, District-Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deep Nishi

For the Opposite Party/s : Mr. Dr.Ravindra Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 09-01-2015 Heard learned counsel for the petitioner and learned counsel representing the State.

Supplementary affidavit has been filed on behalf of the petitioners, which is kept on the record.

The petitioners, apprehending their arrest in connection with Mahila Thana P.S. Case No. 34 of 2013 registered for the offences punishable under Sections 498A, 494/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act, seek the privilege of pre-arrest bail.

Allegedly, due to non-fulfillment of demand of dowry by way of T.V. and Cycle, the informant was being tortured and lastly she was ousted from the in-laws house and the petitioners are father-in-law, mother-in-law and devar and further the husband

solemnized second marriage and these petitioners assisted him.

Submission is that these petitioners are living separately from the informant and her husband since long having no concern with their affairs and as such, these petitioners deserve sympathetic consideration to which the learned A.P.P. does not oppose.

In the facts and circumstances as stated above, considering that the petitioners are father-in-law, mother-in-law and devar and they are allegedly residing separately from the husband of the informant, and as such, they, in case of their arrest or surrender within two months from the date of receipt/production of the copy of this order shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Mahila P.S. Case No. 34/13, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Jitendra Mohan Sharma, J.)

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