

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36211 of 2015

Arising Out of PS.Case No. -2384 Year- 2014 Thana -PURNIA COMPLAINT CASE District-
PURNIA

- =====
1. Atawari Yadav
 2. Geeta Devi @ Gita Devi.
 3. Kundan Kumar Yadav @ Kundan Kumar @ Kundan Yadav.
 4. Dhiraj Kumar Yadav @ Dhiren Kumar Yadav @ Dhiraj Kumar.
 5. Tetri Kumari.

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Mallick

For the Opposite Party/s : Mr. Parmanand Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-08-2015

Heard learned counsels for the petitioner and the State.

The petitioners being the parents, brothers and sister of the husband of the complainant are apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A, 307 and 120B of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

The basic accusation of torture for non-fulfillment of the dowry demand. It is further alleged that the husband of the complainant put the complainant on fire as a result, she received serious burnt injury. The accusation against the petitioners is that they sprinkled kerosene oil on the body of the complainant.

It is submitted by learned counsel for the petitioners that the petitioners are ready to keep the complainant in the matrimonial house with dignity and honour.

It is submitted by learned counsel for the complainant that the complainant is still ready to resume the conjugal life who has badly been burnt at the hands of the accused persons and petitioners also used to inflict torture to the complainant.

Considering the present of the parties, let the above named petitioners be released on provisional anticipatory bail for one year, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Purnia in connection with C.A. Case No. 2384 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioners shall be accepted on filing separate affidavit before the learned court below that they will allow the complainant to enjoy her share of property in the matrimonial house. The said affidavit will be transmitted by the learned court below to the concerned police station for constant monitoring.

The provisional bail of the petitioners will be confirmed by the learned court below on being satisfied that the petitioners are no longer inflicting torture to the complainant.

(Dinesh Kumar Singh, J)

Amrendra/-

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