

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35110 of 2015

Arising Out of PS.Case No. -72 Year- 2015 Thana -DUMRA District- SITAMARHI

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1. Yogendra Sah Son of Sri Parikshan Sah
2. Sushila Devi, W/o Yogendra Sah,

.... Petitioner/s

Versus

1. The State of Bihar
2. Guria Kumari, Wife of Hariom Kumar @ Harsh Kumar, Daughter of Chandrashekhar Prasad Gupta

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate

For the Opposite Party/s : Mr. Smt. Rina Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-08-2015 Heard learned counsels for the petitioners, informant and the State.

The petitioners being the parents of the husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379, 504/34 and 498A of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of dowry demand. The accusation against the petitioners and husband of the informant is to strangle the informant.

It is submitted by learned counsel for the petitioners that the accusation is omnibus and general and the

injury has been found to be simple in nature. However, the petitioners are ready to make payment ₹10,000/- each to the informant and will allow the informant to enjoy her share of properties in the matrimonial house.

Though, learned counsel for the informant submits that the accusation is specific against these petitioners also but the informant is ready to accept the offer of the petitioners.

Considering the present stand of the parties, on deposit of ₹10,000/- each by the petitioners before the learned court below, which will be released in favour of the informant, let the above named petitioners be released on provisional anticipatory bail for six months, 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 SDJM, Dumra in connection with Dumra P.S. Case No.72 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioners will be accepted by the learned court below on filing of separate affidavit by each petitioner to the effect that he/she will not interfere into the conjugal life of the informant and her husband and allow the

informant to enjoy her share of property in matrimonial house.
The said affidavits shall be transmitted by the learned court below
to the concerned police station.

The provision bail of the petitioners shall be
confirmed by the learned court below on verification of the
compliance of the undertaking given by the petitioners.

(Dinesh Kumar Singh, J)

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