

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35977 of 2015

Arising Out of PS.Case No. -2143 Year- 2013 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

- =====
1. Sunita Kumar Thakur @ Sunita Kumari, wife of Ganpat Thakur
 2. Ganpat Thakur, son of Ramdeni Thakur

.... Petitioner/s

Versus

1. State of Bihar
2. Dr. Shilpi Rani

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra, Advocate

For the Opposite Party/s : Mr. M.Rub(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 18-08-2015 Heard learned counsels for the petitioners and the

State.

The petitioner being the parents of the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of dowry demand.

It is submitted by learned counsel for the petitioners that the thrust of accusation is against the husband of the complainant and the complainant herself has filed Matrimonial Case No.329 of 2013 for divorce.

It is submitted by learned counsel for the complainant that these petitioners facilitated the performing of second marriage of the husband of the complainant after filing of the present complaint.

Considering the thrust of accusation against the husband of the complainant, let the above named petitioners be released on anticipatory bail, 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 Sub-Divisional Judicial Magistrate, Bhagalpur in connection with Complaint Case No.2143 of 2013, 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 complainant and her husband and allow the complainant 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.

(Dinesh Kumar Singh, J)

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