

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47243 of 2014

Arising Out of PS.Case No. -1234 Year- 2013 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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1. Priya Brat Narain Pathak @ Gaya Pathak S/o Akshaywar Pathak
2. Satya Bhama Pathak W/o Priya Brat Narain Pathak
Both residents of Village - Shahpur, P.S. - Chainpur, District - Palamu,
Jharkhand.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Anjali Mishra W/o Ajit Kumar Pathak D/o Dr. Shri Krishna Mishra At
present resident of Mohalla - Civil Line, Rauza Road No. -1, Sasaram, P.S.
- Sasaram (Model), District - Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhu Prasun
For the Opposite Party/s : Mr. Nirmala Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

5 23-06-2015 Heard the Counsel for the petitioners and the APP for
the State.

The two petitioners herein are mother-in-law and
father-in-law respectively of the complainant and are accused of
offence punishable under Section 498A and Section 4 of the
Dowry Prohibition Act arising out of a complaint case.

It is stated that subsequent to filing of a petition under
Section 9 of the Hindu Marriage Act, present complaint has been
lodged. The petitioners shall have absolutely no objection if the
complainant resides with the husband. They are bound to take care
of the informant/complainant as their daughter-in-law.

In my view, considering the facts and circumstances of

the case, the petitioners are entitled to privilege of anticipatory bail. In the event of arrest or surrender in the Court below within four weeks, the petitioners abovenamed are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sasaram, Rohtas in Complaint Case No. 1234 of 2013 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

- (i) One of the bailers shall be the own/close family members of the petitioners.
- (ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioners and secure their arrest in accordance with law.

Pankaj/-

(Kishore Kumar Mandal, J)

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