

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51895 of 2014

Arising Out of PS.Case No. -1143 Year- 2013 Thana -COMPLAINT CASE District- BANKA

- =====
1. Sudhir Roy, Son of Late Haldhar Roy
 2. Khirya @ Khirya Devi, Wife of Late Haldhar Roy, Both are resident of village – Banbariya, P.S. – Sarwa, District- Deoghar (Jharkhand).
- Petitioners

Versus

1. State of Bihar
 2. Ranju Kumari, Wife of Sudhir Roy, Resident of Village – Banbariya, P.S. – Sarwa, District – Deoghar (Jharkhand). At present D/O Anant Roy, Resident of Village – Letabaran, P.S.- Fullidumar, District- Banka.
- Opposite Parties
- =====

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate.

For the Opposite Party/s : Mr. Ram Chandra Singh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 05-01-2015 Heard both sides.

The petitioners Sudhir Roy and Khirya Devi @ Khirya Devi apprehend their arrest in a case registered for the offences punishable under Section 498(A) of the Indian Penal Code and Section 4 of the Dowry Prohibition Act in connection with Complaint Case No. 1143 of 2013.

The wife made allegation that her husband and mother-in-law subjected her to physical and mental torture on account of non-fulfillment of demand of dowry.

Learned counsel for the petitioners submits that the allegation is false. The Opposite Party No. 2 left the house of the petitioners and fled away with one Deepak Rai for which Sarath

(Chitra) P.S. Case No. 28 of 2012 under Section 366 of the Indian Penal Code was registered much prior to the lodging of this case. The police also submitted charge sheet.

Learned APP did not dispute the facts.

Having considered the fact that the complaint petition was filed much after lodging of the case from the side of the petitioners alleging therein that the complainant eloped with one Deepak Rai, the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Banka in connection with Complaint Case No. 1143 of 2013, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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