

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25584 of 2015

Arising Out of PS.Case No. -158 Year- 2014 Thana -JAKKANPUR District- PATNA

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1. Kanchan Jyoti wife of Junal Jyoti
2. Amar Jyoti son of Bharat Jyoti
3. Ravi Jyoti son of Bharat Jyoti
4. Kundan Jyoti son of Bharat Jyoti All resident of New Purendharpur,
Patna G.P.O. , P.S. Jakkanpur, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anand Prakash Prabhakar

For the Opposite Party/s : Mr. R.N.Jha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 01-07-2015 Heard learned counsels for the petitioners and the State.

The petitioners being brother's wife and brothers of the late husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 498A and 379/34 of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by the learned counsel for the petitioners that the petitioners used to reside in Delhi. The marriage between the informant and late Samar Jyoti in 2012 is admitted. The husband of the informant died on 14.4.2014.

It is submitted by learned counsel for the informant that the informant's husband was not given proper medical treatment

and when the father of the informant came to her matrimonial house, he was also assaulted and the accused persons are not allowing the informant to enjoy her share of property in the inlaw's house.

It is further submitted by learned counsel for the petitioners that the petitioners are ready to allow the informant to enjoy her share of property in the matrimonial house. More over the relationship between the informant and her late husband was strained as the late husband of the informant filed informatory petition no. 4173 of 2013 against the informant prior to his death.

Considering the nature of accusation and the stand of the petitioners, 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 twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Patna in connection with Jakkanpur P.S. Case No. 158 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioners will be accepted on filing of separate affidavit by each petitioner before the learned court below that they will allow the informant to enjoy her share of

property in the matrimonial house. The said affidavit will be transmitted by the learned court below to the concerned I.O. Non compliance of the aforesaid undertaking will give liberty to informant to file application for cancellation of bail by learned court below.

(Dinesh Kumar Singh, J)

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