

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31981 of 2015

Arising Out of PS.Case No. -411 Year- 2015 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

- =====
1. Manoj Rai Son of Ram Dehin rai
 2. Nirmla Devi w/o Ram Dahin Rai
 3. Soni Devi W/o Manoj Rai All three Residents of Village -Bagmail ,Ps Town, Hajipur, District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan

For the Opposite Party/s : Mr. Md.Ashlam Ansari (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 09-11-2015 Heard learned counsels for the petitioners and the State.

The petitioners being brother, mother and brother's wife of the husband of the informant's daughter are apprehending arrest in a case registered for the offences punishable under Sections 498A,323,324 and 307 of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands and giving electric shock.

It is submitted by the learned counsel for the petitioners that the accusation is omnibus and general. The petitioner's claim to be separate from the husband of the daughter of the informant. The petitioners further undertake that they will allow the

informant's daughter to enjoy her share of property in her in-law's house.

Learned counsel for the informant submits that though the husband of the daughter of the informant has been granted provisional anticipatory bail on his readiness to keep his wife with due dignity and honour but these petitioners should also make endeavour for restitution of matrimonial harmony.

Considering the thrust of accusation against the husband of the daughter of the informant and stand of the husband to keep his wife with full dignity and honour, 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) each with two sureties of the like amount each to the satisfaction of learned CJM, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No.411 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 on filing of separate affidavit by each petitioner before the learned court below that they will allow the daughter of the informant to enjoy her share of property in the matrimonial house. The said affidavits will be transmitted by the learned court below to the

concerned I.O. Non compliance of the aforesaid undertaking will
give liberty to prosecution to file application for cancellation of
bail.

(Dinesh Kumar Singh, J)

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