

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53221 of 2015

Arising Out of PS.Case No. -548 Year- 2015 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

- =====
1. Smt. Bina Singh, wife of Shri Devendra Prasad Singh
 2. Rajni Singh, daughter of Shri Devendra Prasad Singh Both residents of Village- Sijhat, Police Station- Dhoraiya, District- Banka, at present resident of Swami Vevekanand Path, Jogsar, Police Station- Kotwali (Adampur), District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Rashmi Singh, wife of Shri Saket Kumar and Daughter of Shri Vijay Singh, at present resident of West Lohanipur, Kadamkuan, Police Station- Kadamkuan, District- Patna- 800003.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Achintya Anand

For the Opposite Party/s : Mr. Anant Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-11-2015 Petitioners being mother and sister of the husband of the informant are apprehending their arrest in a case registered for the offences punishable under Sections 498A, 323, 504/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of dowry demand. It is alleged that earlier also the case was lodged with similar accusation when on the undertaking of the husband of the informant, the informant went to her in-laws house on 02.09.2015, but again the torture

was inflicted. Hence, the case was lodged on 03.09.2015.

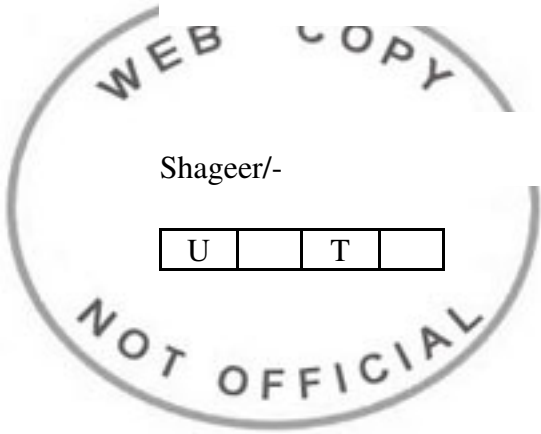
It is submitted by learned counsel for the petitioners that accusation is omnibus and general and the thrust of accusation is against the husband of the informant who has already filed Matrimonial Suit No. 253 of 2013 for restitution of conjugal right.

It is submitted by learned counsel for the informant that earlier also on the undertaking of the husband of the informant the informant went to in-laws house but she was being torture. However, counsel for the informant does not dispute this fact that informant went to in-laws house on 02.09.2015 and lodged the present case on 03.09.2015.

Considering the nature of accusation and the hurriedness in which the informant has filed the present case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, 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 Chief Judicial Magistrate, Bhagalpur in connection with Kotwali(Adampur) P.S. Case No. 548 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioners shall be accepted on filing affidavit to the effect that they will allow the informant to enjoy her husband's share of property in the

matrimonial house. Let the affidavit be transmitted to the concerned Police Station.



(Dinesh Kumar Singh, J)