

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32550 of 2015

Arising Out of PS.Case No. -94 Year- 2015 Thana -SALKHUA District- SAHARSA

- =====
1. Nafeesa W/o Late Sadik
 2. Istiyaak S/o Late Sadik
 3. Zeenat Khatun @ Bibi Zeenat D/o Late Sadik
 4. Md. Meraj @ Md. Miraj S/o Md. Jahur All are Resident of Village Puraini, P.S. Salkhua, District Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha
For the Opposite Party/s : Mr. Suman Kumari Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-08-2015 Heard learned counsels for the petitioners and the State.

Petitioners being mother, brother, sister and cousin brother of the husband of the informant are apprehending their arrest in a case registered for the offences punishable under Sections 323, 341, 498A/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is torture for non-fulfilment of dowry demand.

It is submitted by learned counsel for the petitioners that accusation of torture for non-fulfilment of dowry demand has been levelled after about eight years of marriage which appears unreasonable. The petitioners claim to be separate from the husband of the informant and the thrust

of accusation is against the husband of the informant.

Considering the aforesaid facts, 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, Saharsa in connection with G.R. No. 1277 of 2015, arising out of Salkhua P.S. Case No. 94 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 by learned Court below on filing separate affidavit by each petitioner that they will allow the informant to enjoy her husband's share of property in the matrimonial house. The said affidavits shall be transmitted to the concerned Police Station by learned Court below.

(Dinesh Kumar Singh, J)

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