

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46636 of 2015

Arising Out of PS.Case No. -189 Year- 2015 Thana -DINARA District- SASARAM (ROHTAS)

- =====
1. Rajendra Chaudhary Son of Nepali Chaudhary
 2. Sona Lal Chaudhary Son of Sri Rajendra Chaudhary Both Resident of village - Bagadh, Police Station - Dinara, District - Rohtas at Sasaram

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh

For the Opposite Party/s : Mr. Anil Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-10-2015 Heard learned counsels for the petitioners and the State.

The petitioners being the father and brother of the late husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 376, 498A and 366/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The prosecution case is that the informant was married with Pintu Chaudhary seven years prior to the lodging of the case and subsequently the informant gave birth of two children, thereafter, the husband of the died when the in-laws family including the petitioners started inflicting torture to the informant. It is further alleged that the in-laws family members agreed to get the informant married with the brother of late husband of the

informant namely Dhanji Chaudhary when subsequently Dhanji Chaudhary established physical relationship with the informant but thereafter dowry demand was made for performance of marriage and the informant was driven out from the matrimonial house.

It is submitted by learned counsel for the petitioners that the accusation against the petitioners is omnibus and general and Dhanji Chaudhary is in custody. In 164 Cr. P.C. statement also, the informant expressed her willingness to stay with Dhanji Chaudhary.

Considering the thrust of accusation against Dhanji Choudhary, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Bikramganj, Rohtas in connection with Dinara P.S. Case No. 189 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

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

share of property in the in-laws house. The said affidavit will be transmitted to the I.O., concerned.

Amrendra/-

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(Dinesh Kumar Singh, J)