

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13135 of 2015

Arising Out of PS.Case No. -881 Year- 2007 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

- =====
1. Hadisha Khatoon Wife of Jalaluddin
 2. Md. Salim Son of Jalaluddin
 3. Faiyaz Son of Jalaluddin All resident of Road No.15 Baridih, Chauk Kabir Nagar T.O.P., Police Station- Chandil, District- Saraikela Kharsawa (Jharkhand).

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Pramod Rajpati
For the Opposite Party : Mr. B.M.P.Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-03-2015 Heard learned counsels for the petitioners
and the State.

Petitioners being mother and brothers of the late husband of the complainant are apprehending their arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 323, 379, 498A of the I.P.C and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of dowry demand after the death of the husband of the complainant.

It is submitted by learned counsel for the petitioners that petitioners will allow the complainant to enjoy

her share of property in the in-laws house.

On filing of such undertaking through affidavit before learned Court below by each petitioner separately, 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 provisional anticipatory bail for one year on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Aurangabad in connection with Complaint Case No. 881 of 2007, Trial No. 345 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the said affidavit be transferred to the concerned police station.

The provisional bail of the petitioners will be confirmed by learned Court below, if there is no complaint by the complainant that she is being tortured.

Shageer/-

(Dinesh Kumar Singh, J)

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