

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24676 of 2014

Arising Out of PS.Case No. -6 Year- 2014 Thana -MAHILA PS District- DARBHANGA

- =====
1. Shashi Bhushan Prasad S/o Late Ram Ejore Prasad
 2. Asha Shrivastva W/o Shashi Bhushan Prasad both resident of village- Saraiya, P.S.- Belsand, District- Sitamarhi

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioners : Mr. Vijay Anand

For the Opposite Party/s : Mr. Abhay Kr. Roy (App)

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

7 25-06-2015 Heard learned counsel for the petitioners, State and Mr. Jagarnath Singh for the informant.

Petitioners herein are father-in-law and mother-in-law respectively of the informant. They are facing prosecution under diverse penal provisions of the IPC including Section 498A of the IPC.

According to the prosecution case, the marriage was solemnized between the son of the petitioners and the informant on 17.2.2013 whereafter she came to the matrimonial home. The husband and other family members started exerting pressure for dowry inasmuch as the husband forced the mother-in-law to become guarantor for the Bank loan which was ultimately

granted to him but payment thereof was not made by the husband.

Contention of the petitioners is that, in fact, the informant was in love affairs with the son of the petitioners and they got married in Delhi in 2011 vide Annexure-2. The son-in-law persuaded the mother-in-law to become guarantor for the loan and thereafter defaulted. In the circumstances, the Bank lodged a case vide Annexur-3 against the loanee (husband of the informant) and the guarantor (mother of the informant). Few days thereafter the present case has been lodged. The petitioners shall always be willing to have the informant as their daughter-in-law. Considering the aforesaid, some of the accused persons other than the husband have been privileged with anticipatory bail by order dated 24.4.2014 passed in Cr. Misc. no.15050 of 2014.

In the facts and circumstances of the case, let the petitioners, named above, in the event of their arrest/surrender before the learned Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Darbhanga in connection with Mahila P.S. case no. 6 of 2014, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with following conditions:-



- (i) One of the bailors in each case shall be the own/close family member of the petitioners.
- (ii) As soon as the charges are framed the petitioners shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioners and secure their arrest in accordance with law.

(Kishore Kumar Mandal, J)

Shyam/-

U		T	
---	--	---	--