

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36112 of 2015

Arising Out of PS.Case No. -49 Year- 2015 Thana -SANGRAMPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Mohan Pandey Son of Late Ramakant Pandey
2. Sanjay Pandey Son of Mohan Pandey
3. Pramila Devi @ Parani Wife of Mohan Pandey
4. Sharda Devi Wife of Sanjay Pandey All are resident of village - Jalaha,
P.S. Sangram Pur, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Nitu Kumari Wife of Santosh Pandey, Daughter of Mohan Pandey
resident of village - Village Jalaha, P.S. Sangram Pur, District - East
Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

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

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 18-08-2015

Heard learned counsel for the petitioners and the
State.

The petitioners being the parents, brother and
brother's wife are apprehending their arrest in a case
registered for the offences punishable under Sections 323,
498A, 354/511, 504/34 of the Indian Penal Code and 3/4
of the Dowry Prohibition Act.

The basic accusation is of torture for non-
fulfillment of dowry demand and making attempt to outrage the
modesty.

It is alleged against the petitioner Sanjay Pandey

that he has made an attempt to establish physical relationship with the informant.

It is submitted by the learned counsel for the petitioners that the thrust of accusation is against the husband of the informant. Moreover, the Matrimonial Suit No. 301 of 2014 was filed on 28.10.2014 by the husband of the informant thereafter the present case was lodged on 01.05.2015.

Considering the fact that the Matrimonial Suit was filed by the husband of the informant at the earlier point of time, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Sangrampur P.S. Case No. 49 of 2015, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Dinesh Kumar Singh, J)

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