

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29909 of 2014

Arising Out of PS.Case No. -1486 Year- 2012 Thana -COMPLAINT CASE District- BANKA

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1. Jhumia Devi, Wife of Etwari Yadav,
 2. Etwari Yadav, Son of Late Sahdeo Yadav @ Gosro Yadav
 3. Sundar Yadav, Son of Etwari Yadav
 4. Basudeo Yadav Son of Etwari Yadav
- All are residents of village – Budhwa Maran, Police Station and District- Banka

.... Petitioner/s

Versus

1. The State of Bihar
2. Sulia Devi, W/o Madan Yadav, D/o Tipan Yadav, R/o Siradai, P.S. Fullidumar (Amarpur), District-Banka

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajib Ranjan Jha, Adv.
For the Opposite Party/s : Mr. Binod Kumar No.2, A.P.P.
For the Opposite Party No.2: Mr. Niwas Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 19-01-2015 Heard learned counsel for the petitioners and learned counsel representing the State.

The petitioners, apprehending their arrest in connection with Complaint Case No. 1486 of 2012 registered for the offences punishable under Sections 498A and 323 of the Indian Penal Code, seek the privilege of pre-arrest bail.

The complainant was married with the son of petitioner no. 1 namely, Madan Yadav and due to non-fulfillment of demand of dowry, she was ousted by her in-laws after assaulting and snatching her ornaments.

Submission is that the petitioner no.1 is mother-in-law

and petitioner nos. 3 and 4 are Devars having no concern with the affairs of the complainant and her husband. They are living separately since long, to which the learned counsel for the complainant opposes.

In the facts and circumstances as stated above, considering that there is no specific allegation against the petitioner nos. 1, 3 and 4 namely, Jhumia Devi, Sundar Yadav and Basudeo Yadav and as such, the petitioners, in case of their arrest or surrender within two months from the date of receipt/production of the copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Complaint Case No. 1486 of 2012, subject to the conditions as laid down under Section 438(2) Cr. P.C.

Before parting, it is made clear that so far as petitioner no. 2 is concerned, he has already been arrested and his prayer for anticipatory bail application has been dismissed as withdrawn vide order dated 16.12.2014, hence needs no order.

(Jitendra Mohan Sharma, J.)

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