

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1428 of 2016

Arising Out of PS.Case No. -795 Year- 2014 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

- =====
1. Kailash Bihari Saha @ Kailash Bihari Sah S/o Late Khokha Sah
 2. Sarda Rani @ Sharda Devi W/o Kailash Bihari Saha
- Both are resident of Shiv Narayanpur, P.S.- Kahalgaon (Shiv Narayanpur), District Bhagalpur presently residing at Sainik Colony, Dumar Daga, P.S.- Sadr, District Ranchi (Jharkhand).
3. Ankur Saha @ Ankur Kumar @ Ankur Sah, S/o Kailsah Bihari Saha, resident of Village- Shiv Naryanpur, P.S.-Kahalgaon (Shiv Narayanpur), District- Bhagalpur presently residing at Paharpur Colony, Tower Ltd. Bhilai Steel Plant, Bhilai (Chhatisgarh).

.... Petitioner/s

Versus

1. The State of Bihar
2. Sima Kumari W/o Abhishekh Kumar D/o Chhedi Prasad Sah, resident of Mohalla- Gurhatta Chawk, P.S.- Mojahidpur, District- Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tarun Prasad Mandal, Adv
For the Opposite Party/s : Mr. Shailendra Kumar Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-01-2016 Heard learned counsels for the petitioners and the State.

The petitioners being the parents and brother of the husband of the complainant are apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

The accusation is of torture for non fulfillment of the dowry demand.

It is submitted by learned counsel for the petitioners that the husband of the complainant is a disabled person who has filed Matrimonial Suit No 147 of 2014 on 31.03.2014 for decree of divorce and after issuance of notice to complainant Opposite Party No. 2 on 30.04.2014, the present complaint has been filed. The thrust of accusation is against the husband of the complainant.

Considering the aforesaid facts, 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 Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Bhagalpur in connection with Complaint Case No. 795 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Ranjan/-

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