

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5028 of 2016

Arising Out of PS.Case No. -147 Year- 2015 Thana -GOPALPUR District-
WESTCHAMPARAN(BETTIAH)

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1. JOKHAN DAS son of Late Raghunandan Das,
2. JANAK DAS son of Late Raghunandan Das
3. SUKESHWAR DAS son of Jokhan Das, null
4. CHANDRA KISHORE DAS son of Jokhan Das,
5. SUNARPATI DEVI wife of Jokhan Das,
6. Mst. GIDRI KUER wife of Late Raghunandan Das, All residents of
Patbani Tiwari Tola, P.S.- Gopalpur, District West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. SUNITA DEVI of Sri Surya Das, resident of Village- Patbani, Tiwari
Tola, P.S.- Gopalpur, District- West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Veena Kumari Jaiswal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-01-2016 Heard learned counsels for the petitioners and the State.

The petitioners being the brothers, nephew and mother of the husband of the informant are apprehending arrest in a case registered for the offences punishable under Section 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of the dowry demand of she-buffalo and ultimately the informant was driven out from the matrimonial house on 29.10.2015.

It is submitted by learned counsel for the petitioners that for the occurrence of 29.10.2015, the FIR was registered on

18.11.2015 and the informant has not made her husband as accused. The petitioners are ready to allow the informant to enjoy her share of property in the matrimonial house. Moreover, the petitioners claim to be separate from the husband of the informant.

Considering the nature of accusation, 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 ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Bettiah, West Champaran in connection with Gopalpur P.S. Case No. 147 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioners shall be accepted by learned court below on filing separate affidavit by each petitioner to the effect that they will allow the informant to enjoy her share of property in the matrimonial house.

(Dinesh Kumar Singh, J)

Amrendra/-

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