

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7155 of 2016

Arising Out of PS.Case No. -55 Year- 2015 Thana -MAHILA THANA District- BEGUSARAI

1. Bimla Devi Wife of Rajnikant Jha
2. Rajnikant Jha Son of late Tarakant Jha

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh-I(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-02-2016 Heard learned counsels for the petitioners and the State.

The petitioners being the parents of husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 498A/313 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

Basic accusation is of torture for non-fulfillment of dowry demand. It is alleged against petitioner no.1 that she gave some medicine, as a result, the pregnancy of the informant got terminated.

It is submitted by learned counsel for the petitioners that marriage of the son of the petitioners with the informant is not in dispute. The accusation is of getting the pregnancy terminated in 2013 but the informant gave birth to a male child

on 07.06.2014, the birth certificate has been brought on record as annexure-2. It is further submitted that the husband of the informant is still ready to keep the informant as wife with dignity and honour.

It is submitted by learned counsel for the informant that the informant was being treated for termination of pregnancy, but there is no document to suggest that actually the pregnancy got terminated.

Learned counsel for the petitioners further submits that the petitioners are ready to allow the informant to enjoy her share of property in the matrimonial house.

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 ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Begusarai in connection with Mahila P.S. Case No.55/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioners will be accepted by the learned court below on filing of separate affidavit by each petitioner to the effect that he/she will not interfere into the

conjugal life of the informant and allow the informant to enjoy her share of property in matrimonial house. It is expected from the learned Court below to get the said affidavits transmitted to the concerned police station.

(Dinesh Kumar Singh, J)

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