

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8268 of 2016

Complaint Case No.. -6286 Year- 2015 Thana -NAWADAH COMPLAINT CASE District-
NAWADA

- =====
1. Vijay Pratap Palit, son of late Hiralal Palit
 2. Chinta Devi, wife of Vijay Pratap Palit

.... Petitioner/s

Versus

1. State of Bihar
2. Khushbu Kumari (wife of Nitish Pratap Palit), daughter of Suresh Chandra Prasad

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramashish, Advocate

For the Opposite Party/s : Mr. A.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-02-2016 Heard learned counsels for the petitioners and the

State.

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

Basic accusation is of torture for non-fulfillment of

dowry demand.

It is submitted by learned counsel for the petitioners that the petitioners admit marriage of the complainant with their son and the accusation is omnibus and general. The thrust of accusation is against the husband of the complainant and husband of complainant has already filed Matrimonial Suit No. 73/2014 for restitution of conjugal rights. The son of the petitioners is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in paragraph 11 of the petition, which reads as follows :-

"That husband of the complainant is ready to keep his wife with full dignity and for that purpose much earlier of filing the instant complaint petition i.e. on 24.03.2014 filed a Matrimonial Suit No.73/2014 in the Court of Principal Judge Family Court Gaya under section 9 of the Hindu Marriage Act....."

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, Nawadah in connection with

Complaint Case No.6286/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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