

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10884 of 2016

Arising Out of PS.Case No. -3861 Year- 2015 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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1. Radha Devi wife of Harihar Prasad Singh
2. Harihar Prasad Singh, son of Late Ganaur Singh
Both resident of Village-Rajapakar North Tola, P.S.-Rajapakar,
District-Vaishali

.... Petitioner/s

Versus

The State of Bihar & Anr

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma

For the Opposite Party/s : Mr. A.M.P.Mehta(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-03-2016

Petitioners being parents of the husband of the complainant are apprehending their arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and ³/₄ of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of dowry demand.

It is submitted by learned counsel for the petitioners that petitioners admit marriage of the complainant with their son and birth of two children, one is residing with the husband of the complainant while the other is with the complainant. It is further submitted that thrust of accusation is against the husband of the complainant. The husband of the complainant has filed Matrimonial Suit No. 304 of 2015 for restitution of the conjugal life. Though accusation has been

levelled that husband of the complainant has performed second marriage but cognizance has not been taken under Section 494 I.P.C.

It is submitted by learned counsel for the complainant that the entire in-laws family inflicted torture for non-fulfilment of dowry demand.

Considering the thrust of accusation against the husband of the complainant, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Vaishali at Hajipur in connection with Complaint Case No. 3861 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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