

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11338 of 2016

Arising Out of PS.Case No. -159 Year- 2015 Thana -AURAI District- MUZAFFARPUR

- =====
1. Nantun Shahi son of Lalan Prasad Shahi,
 2. Usha Devi wife of Madan Prasad Shahi, resident of Village- Madhuban Beshi, P.S.- Aurai, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bela Singh

For the Opposite Party/s : Mr. Dasrath Mehta (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-03-2016

Petitioner No.1 being cousin of the husband of

the informant and petitioner No. 2 being mother of the husband of the informant are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 494, 498A, 376, 511, 34 of the Indian Penal Code, Section 3/4 of the Dowry Prohibition Act and Section 3(1)(x)(xi) of the SC & ST (Prevention of Atrocities) Act.

The prosecution case is that the informant's marriage was solemnized with Fani Bhushan on 05.04.2009 and thereafter out of the wedlock a baby girl was born. Subsequently the petitioners and others started inflicting torture and father-in-law of the informant tried to ravish her. Now the husband of the informant has solemnized second marriage. It is alleged against the accused persons that they being in-laws abused the informant by calling caste name.

It is submitted by learned counsel for the petitioners that son of petitioner No. 2 has performed inter-caste marriage with the informant. At earlier point of time the informant filed Complaint Case No. 2574 of 2009 levelling accusation under Sections 406, 420, 498A of the Indian Penal Code, Section 3/4 of the Dowry Prohibition Act and Section 3(1)(x) of the SC & ST (Prevention of Atrocities) Act, wherein processes were directed to be issued after cognizance being taken against the husband of the informant under Section 498A of the Indian Penal Code. In the said complaint the complainant alleged that she was ousted from the matrimonial house and thereafter the present case has been lodged.

Considering the fact that thrust of accusation is against the husband and father-in-law of the informant, 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 Judicial Magistrate, 1st Class, Muzaffarpur in connection with Aurai P.S. Case No. 159 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Shageer/-

U		T	
---	--	---	--