

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13275 of 2016

Arising Out of PS.Case No. -3418 Year- 2014 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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1. Kaushal Kishore Srivastava @ Kaushal Kishore Prasad son of Late Mahabir Prasad Srivastava
 2. Guddi Devi wife of Sri Kaushal Kishore Srivastava
 3. Uday Kumar son of Sri Kaushal Kishore Srivastava

All resident of Village-Bakarpur, P.S.-Rajapakar, District-Vaishali Hazipur

.... Petitioner/s

Versus

The State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhilesh Dutta Verma

For the Opposite Party/s : Mr. Durgesh Nandan (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-03-2016

Petitioners being parents and brother 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 Section 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 the marriage of the complainant with Ajit Kumar @ Golu. The husband of the complainant has filed Matrimonial Suit No. 49 of 2015 for the restitution of conjugal right. The accusation against the petitioners is omnibus and general and the thrust of accusation

is against the husband of the complainant. The petitioners are ready to allow the complainant to enjoy her share of property in the matrimonial house.

Considering the aforesaid facts, 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, Muzaffarpur in connection with Complaint Case No. 3418 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioners shall be accepted on filing separate affidavit that they will allow the complainant to enjoy her share of property in the matrimonial house. It is expected from the learned Court below to get the said affidavit transmitted to the concerned police station.

Shageer/-

(Dinesh Kumar Singh, J)

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