

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16278 of 2016

Arising Out of PS.Case No. -154 Year- 2015 Thana -SARAI RANJAN District- SAMASTIPUR

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1. Ajit Choudhary @ Ajit Kumar son of Ram Sringar Chaudhary
 2. Parmila Devi @ Pramila Devi wife of Ram Sringar Chaudhary
 3. Chunchun Devi @ Chunchun Kumari, daughter of Ram Sringar Chaudhary, all are resident of Village-Roopnarayan Karnauti, P.S.- Mahnar, District-Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh

For the Opposite Party/s : Mr. Anuj Kr.Srivastava(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-04-2016

Petitioners being brother, mother and sister of

the husband of the informant are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 498A of the Indian Penal Code and Section 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 the marriage of the informant with Amarjeet Chaudhary. The husband of the informant is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 8 of the petition which reads as follows:-

“That the husband Amarjeet

Chaudhary is ready to keep the wife and his son

with full dignity and honour within the limited means of his livelihood being earned as daily labour”

It is further submitted that the accusation against the petitioners is omnibus and general and the thrust of accusation is against the husband of the informant. The petitioners are ready to allow the informant 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 Judicial Magistrate, 1st Class, Samastipur in connection with Sarairanjan P.S. Case No. 154 of 2015, 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 informant 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.

(Dinesh Kumar Singh, J)

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