

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18403 of 2016

Arising Out of PS.Case No. -471 Year- 2013 Thana -GAYA COMPLAINT CASE District- GAYA

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1. Md. Mahmud Alam . S/o Md. Hafiz Mian
 2. Hamida Khatoon W/o Md. Mahmud Alam Both residents of Village- Kashmirganj, Masjid Gali, P.s Masaurhi, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sabina Khatoon D/o Md. Shamshuddin , wife of Aashik Ekbal resident of Village- Hasanpur, P.s Belaganj, District Gaya.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra
For the Opposite Party/s : Mr. Gajendra Pd. Yadav(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-04-2016 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 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 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 Chief Judicial Magistrate, Gaya in connection with Complaint Case No. 471 of 2013, Trial No. 1918 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 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.

(Dinesh Kumar Singh, J)

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