

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29596 of 2016

Arising Out of PS.Case No. -35 Year- 2015 Thana -MAHILA P.S. District- MADHEPURA

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1. Sarobar Yadav son of Late Bhumi Yadav
 2. Fulwa Devi wife of Sanjay Yadav
 3. Sanjay Yadav son of Sarobar Yadav
 4. Singarmain Devi wife of Sarobar Yadav All resident of Village- Machha P.S.- Kumarkhand, District- Madhepura.

.... Petitioners

Versus

1. The State of Bihar.
2. Kalpana Devi daughter of Shiv Narayan Yadav Resident of Village- Machha, P.S.- Shankarpur, District- Madhepura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal
For the Opposite Party/s : Mr. Sri Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-07-2016 Heard learned counsel for the parties.

The petitioners being the parents, brother, brother's wife of the husband of the informant are apprehending their arrest in a case registered for the offence punishable under sections 498A, 504, 494, 379/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of dowry demands. It is further alleged that that the accused persons attempted to kill the informant. Petitioner no.4 Singarmain Devi poured kerosene oil on the informant and the husband of the informant lit fire but the informant raised alarm. Thereafter the

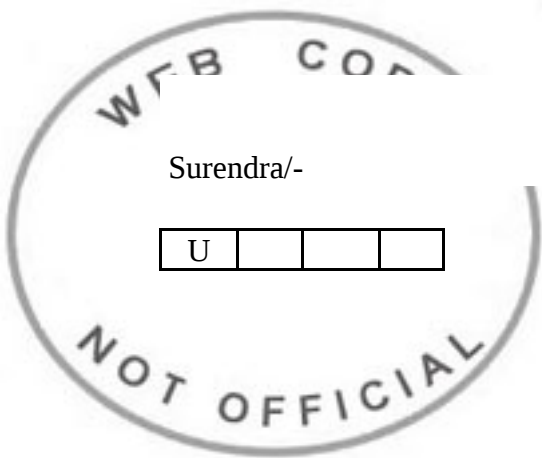
people of nearby came and saved the life of the informant. It is further alleged that the husband of the informant solemnized second marriage. The accused persons made assault to the informant.

It is submitted by the learned counsel for the petitioners that the accusation is general and omnibus against the entire in-laws family including the petitioners. Moreover, the thrust of accusation is against the husband of the informant and admittedly no injury was caused to the informant.

Considering the aforesaid facts, let the petitioners, abovenamed, in the event of their arrest or surrender before the court below within a period of twelve weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Madhepura in Mahila (Madhepura) P.S.Case No. 35/2015, 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 by the learned court below on filing of affidavit to the effect that they will not interfere into the conjugal life of the informant and allow the informant to enjoy her share of property in matrimonial house. It is expected that the learned court below shall get the said

affidavit transmitted to the concerned police station.



(Dinesh Kumar Singh, J)