

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48584 of 2015

Arising Out of PS.Case No. -108 Year- 2015 Thana -MADANPURA District- AURANGABAD

- =====
1. Kaushalya Devi, W/o Vijay Prasad Soni
 2. Vijay Prasad Soni S/o Siyaram Prasad Soni Both resident of Madanpur, P.S. Madanpur, Distt Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar
2. Saraswati Devi, W/o Deepak Kumar Soni, R/o village + P.S.- Madanpur, District- Aurangabad

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anish Chandra(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 28-04-2016 Heard learned counsel for the petitioners and the State.

The petitioners being the parents of the husband of the informant are apprehending their arrest in a case registered for the offences punishable under Sections 498A, 326, 307/34 of the Indian Penal Code.

The basic accusation is of torture. It is alleged that the husband of the informant and his mother, petitioner no. 1 Kaushalya Devi, caused burn injury to the informant.

It is submitted by learned counsel for the petitioners that petitioners are ready to keep the informant with full dignity and honour and will allow the

informant to enjoy her share of property.

The informant is present in the Court.

It is submitted by the learned counsel for the informant that informant is ready to accept the offer of the petitioners. Though, the husband of the informant is in custody, but the informant is ready to file appropriate petition in the bail application of her husband, pending before the learned court below. The informant is ready to resume the conjugal life with her husband.

Considering the present stand of the parties, let the above named petitioners be released on provisional anticipatory bail for one year in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Aurangabad in connection with Madanpur P.S. Case No. 108 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional anticipatory bail of the petitioners will be confirmed by the learned court below if the informant will not raise any specific grievance of torture against the petitioners within one year. The bail bonds of the petitioners shall be accepted on filing the affidavit by each petitioners that they

shall allow the informant to enjoy her share of property in the matrimonial house. The said affidavit will be transmitted to the concerned local Police Station. The non-compliance of undertaking given in the affidavit will give liberty to the learned court below to cancel the bail bonds of the petitioners.

(Dinesh Kumar Singh, J)

P.K./-

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