

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30566 of 2016

Arising Out of PS.Case No. -240 Year- 2016 Thana -MAHILA P.S. District- BHOJPUR

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1. Rajendra Kumar Srivastava @ Rajendra Prasad Srivastava S/o Late Brij Nandan Prasad
 2. Shail Devi wife of Rajendra Prasad Srivastava
 3. Deepak Srivastava @ Ujjwal Prakash son of Rajendra Prasad Srivastava
- All are resident of Village- Baruhi, P.S.- Sahar, District- Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhaw Prasad Yadaw, Adv.

For the Opposite Party/s : Mr. Binod Kumar 2, APP.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 19-09-2016 Heard learned counsels for the petitioners and the State.

The petitioners being the parents and elder brother of the husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 498A and 307/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of dowry demand. It is also alleged that poison was administered to the informant through food as after taking food she started feeling uneasy when she informed her brother but the petitioners and others initially did not allow the brother of the informant to take her to hospital.

It is submitted by the learned counsel for the petitioners

that the accusation is not specific against the petitioners. The accusation is specific against the husband of the informant who has been granted bail vide Cr. Misc. No. 38516 of 2016.

Though, the impugned order reflects that the victim was admitted in PMCH for one day, report to that effect has been brought on record, but Mr. J.N. Thakur, learned counsel for the State, after going through the case diary, submits that the case diary does not contain any injury report.

Learned counsel for the informant submits that the informant was tortured at the instance of the petitioner and she was administered poison.

Considering the fact that the accusation is not specific against the petitioners, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhojpur, Arrah in connection with Bhojpur Mahila P.S. Case No. 240 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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