

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34949 of 2016

Arising Out of Complaint Case No. -357 Year- 2015 Thana -MADHEPURA COMPALINT CASE
District- MADHEPURA

- =====
1. Smt. Kundanki Devi, wife of Chandeshwari Yadav
 2. Chandeshwari Yadav, son of late Panchu Yadav

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-08-2016

Heard learned counsels for the petitioners and the

State.

The petitioners being the parents of the husband of the complainant are apprehending arrest in a complaint case filed for the offences punishable under Sections 494 and 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act wherein process has been directed to be issued after cognizance being taken.

Basic accusation is of torture for non-fulfillment of dowry demand and performing second marriage by the husband of the complainant.

It is submitted by learned counsel for the petitioners that the accusation of demand of dowry after 8 years of marriage appears to be unreasonable. Moreover, the thrust of accusation is

against the husband of the complainant and the petitioners have no objection in allowing the complainant to enjoy her share of property in the matrimonial house.

Considering the aforesaid facts, 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 SDJM, Uda-Kishunganj, Madhepura, in connection with Complaint Case No.357/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioners will be accepted by the learned court below on filing of separate affidavit to the effect 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 affidavits transmitted to the SHO of concerned police station.

(Dinesh Kumar Singh, J)

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