

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29342 of 2016

Arising Out of PS.Case No. -48 Year- 2016 Thana -DHAKA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Achutananda Jha @ Achchuta Nand Jha, S/o Late Jagdish Jha, R/o Village-Bhandar, P.S.-Dhaka, District-East Champaran.
 2. Lalita Devi, W/o Achutananda Jha, R/o Village-Bhandar, P.S.-Dhaka, District-East Champaran.

.... Petitioners

Versus

1. State of Bihar.
2. Archana Devi, Daughter of Late Chedi Thakur and wife of Jitendra Kumar Jha, resident of village-Vishnupur, P.S.-Kataha, District-Muzaffarpur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Vinay Mistry

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-07-2016 Heard learned counsels for the petitioners and the State.

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, 323, 307, 379, 406, 354 and 504/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture and causing burn injuries by setting her ablaze.

It is submitted by learned counsel for the petitioners that the informant at earlier point of time registered Dhaka P. S. Case No. 148 of 2012 under Sections 498A, 323, 307, 406 and

504/34 of the Indian Penal Code, wherein the petitioners have been granted bail.

It is further submitted by the learned counsel for the petitioners that Dhaka P. S. Case No. 87 of 2015 was instituted against the petitioners at the request of the informant for a dispute with regard to making construction of Anganwri Centre on the land of the petitioners for which BLDR Case No. 129 of 2014-15 was filed and the same was decided in favour of the petitioners, in spite of that the informant continued construction on that land.

Considering the accusation in background of litigated relationship between the parties from before, let the petitioners above named in the event of their arrest or surrender before the Court below within a period of twelve weeks from today, be released on anticipatory bail 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, Sikrahna, Dhaka, East Champaran, Motihari in connection with Dhaka P.S. Case No. 48 of 2016 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J.)

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