

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 28564 of 2016

Arising out of P.S. Case No. -755 Year- 2015 Thana -
LAKHISARAI District- LAKHISARAI

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1. Jairam Mistri, Son of Late Chanu Mistri.
 2. Teto Devi, W/o Jairam Mistri.
 3. Rani Devi.
 4. Soni Devi.
 5. Anju Devi, All Daughters of Jai Ram Mistri.
 6. Pankaj Kumar.
 7. Awadhesh Kumar, Both Sons of Jai Ram Mistri. All Resident of Village - Terashi Karari Pipariya, P.S. Pipariya, District - Lakhisarai At Present R/o Ojhba Pokhar Pachana Road, P.S. Lakhisarai, District - Lakhisarai.. Petitioner/s
- Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajnish Chandra, Adv.

For the Opposite Party/s: Sri Akhileshwar Dayal, Adv.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02. 26.07.2016

Learned counsel for the petitioners is permitted to make correction in the father's name of the petitioner No. 1.

Heard learned counsel for the Petitioners and the State.

The Petitioners being the parents, sisters and brothers of the husband of the Informant are apprehending their arrest in a case for the offences punishable under Sections 147, 148, 323, 341, 406, 307 and 498(A) of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of the dowry demand and made attempt to throttle the informant.

It is submitted by learned counsel for the petitioners that there is omnibus and general accusation against the petitioners. The petitioners claim to be separate from the husband of the Informant. The petitioners are ready to allow the Informant to enjoy her share of property in the matrimonial house. The thrust of accusation is against the husband of the Informant.

Considering the omnibus and general nature of accusation against the petitioners and the present stand of the petitioners, let the petitioners, above named be released on anticipatory bail in the event of 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, Lakhisarai in connection with Lakhisarai (Kabiya) P.S. Case No. 755 of 2015 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. The bail bond shall be accepted by learned court below on filing separate supplementary-affidavit to the effect that the petitioners will allow the informant to enjoy her share of property in matrimonial home. The learned court below will get the said affidavit transmitted to the concerned police station.

(Dinesh Kumar Singh, J.)

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