

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 28048 of 2016

Arising out of P.S. Case No. -92 Year- 2016 Thana -
MARHAURA District- SARAN

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| 1. Madhumala Singh @ Madhu, Daughter of Sri Birendra Singh. | |
| 2. Gyanti Devi, Wife of Late Uma Shankar Sinmgh, Both R/o Village-Mohiya, Police Station-Chapra Mufassil, District-Saran. | Petitioner/s |
| Versus | |
| 1. The State of Bihar. | |
| 2. Kumkum Devi, Daughter of Praduman Singh, Village-Madhaura, Khurd, P.S.-Madhaura, Distt.-Saran (present address). | Opposite Party/s |
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Appearance :

For the Petitioner/s : Mr. Tej Pratap Singh, Adv.

For the Opposite Party/s: Smt. Suman Kumari Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02. 26.07.2016 Heard learned counsel for the Petitioners and the State.

The petitioner no. 1 being the second wife of the husband of the Informant and petitioner no. 2 being the mother of the husband of the Informant are apprehending their arrest in a case registered under Sections 498(A), 494, 379, 307, 323 and 504/34 of the Indian Penal Code and Sections 3/4 of D.P. Act.

The basic accusation is of torture for non-fulfilment of the dowry demand and performing the second marriage by the husband of the Informant.

It is submitted by learned counsel for the petitioners that the petitioner no. 1 performed the marriage with the

husband of the Informant without knowledge of earlier marriage. The petitioner no. 1 filed Chapra Muffasil P.S. Case No. 133 of 2016 against the brother of the Informant and others for the offences under Sections 467, 468, 469, 471 and 504 of the Indian Penal Code registered on 04.04.2016 and thereafter the present Complaint Case No. 294 of 2016 was filed on 12.02.2016 which came to be registered as police case on 04.02.2016 and the thrust of accusation is against the husband of the Informant. Moreover, the informant has entered into compromise with her husband.

Considering the thrust of accusation against the husband of the Informant, 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 four weeks from the date of receipt of the order on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-II, Saran at Chapra in connection with Marhowrah P.S. Case No. 92 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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