

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29960 of 2016

Arising Out of PS.Case No. -32 Year- 2016 Thana -ROH District- NAWADA

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1. Parwati Devi wife of Rameshwar @ Ganouri Yadav.
 2. Rameshwar @ Ganouri Yadav son of late Prayag Yadav. Both resident of village- Takhour, P.S. Roh, Dist- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Adv.

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara (APP)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-07-2016

Heard learned counsels for the petitioner and the State.

The petitioners being the parents of the husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379, 498A and 504/34 of the Indian Penal Code.

The prosecution case is of making assault by the petitioners and their daughter Puja Devi for non-fulfillment of the dowry demand. It is alleged that on 30.05.2016 the informant was brutally assaulted and her jewellery was snatched and she was driven out from the matrimonial house since the husband of the informant is not keeping well. The petitioners also threatened to transfer the land in favour of their daughter Puja Devi. The injury report of the informant has been brought on record which suggests

eight injuries. Out of eight injuries, seven injuries have been found to be superficial simple in nature and rest one injury has been found to be grievous.

It is submitted by learned counsel for the petitioners that the dispute is with regard to share of the property and accusation of assault is omnibus and general.

It is submitted by learned counsel for the informant that the petitioners are not allowing the informant to reside in the matrimonial house and at present she is only concerned with her rehabilitation in the matrimonial house.

It is further submitted by learned counsel for the petitioners that the petitioner is ready to allow the informant to enjoy her share of property in the matrimonial house and will not alienate any property in which the husband of the informant has any share.

Considering the present stand of the parties, let the above named petitioners be released on provisional anticipatory bail for six months, 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 JM, 1st Class, Nawada in connection with Roh P.S. Case No. 32

of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioners shall be accepted by the learned court below on filing separate affidavit by the petitioners that they will allow the informant to enjoy her share of property in the matrimonial house. The learned court below will get the said affidavit transmitted to the concerned police station.

The provisional bail of the petitioner will be confirmed by the learned court below within a period of six months after receiving report from the local police station that the petitioners are complying the undertaking given before this Court.

(Dinesh Kumar Singh, J)

Amrendra/-

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