

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.46474 of 2016**

Arising Out of PS.Case No. -17 Year- 2016 Thana -MAHILA P.S. District- VAISHALI(HAJIPUR)

Saroj Kumari

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Durga Narayan

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      24-10-2016      Heard learned counsels for the petitioner and the State.

The petitioner being mother of the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A and 307/34 of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

The prosecution case is that the informant was married with co accused Hemant Kumar, son of the petitioner on 9.2.2014 but subsequently for non fulfillment of further dowry demands torture was being inflicted. It is further alleged that the informant was deprived of food and other household amenities and was driven out from the matrimonial house. Subsequently her husband took her

informant to matrimonial house but again all the accused persons started inflicting torture for non fulfillment of dowry demands when protest was made then this petitioner tried to throttle the informant by pressing her neck and thereafter her husband brutally assaulted. The impugned order reflects that the informant was being treated from 22.5.2016 to 3.6.2016.

It is submitted by the learned counsel for the petitioner that specific accusation of assault is against the husband of the informant and only accusation against the petitioner is of pressing the neck of the informant but there is no injury report on record.

Considering the aforesaid facts, let the above named petitioner be released on provisional anticipatory bail for two months in the event of arrest or surrender before the learned Court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Vaishali at Hajipur in connection with Mahila P.S. Case No.17 of 2016 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional anticipatory bail of the petitioner will be confirmed by the learned court below if on



verification no grievous injury is found to have been received by the informant on her neck but if it is found that there is grievous injury on the neck of the informant then the petitioner will surrender and pray for bail.

**(Dinesh Kumar Singh, J)**

Anil/-

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