

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40048 of 2016

Arising Out of Complaint Case No.. -707 Year- 2015 Thana -COMPLAINT CASE District- JAMUI

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1. Chhotu Ram, son of late Dasrath Ram
2. Mahendra Devi @ Mahendri Devi, wife of late Dasrath Ram

..... Petitioner/s

Versus

State of Bihar & Anr

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar
For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-09-2016 Heard learned counsels for the petitioners and the State.

Petitioner no.1 being the husband of the complainant and petitioner no.2 being mother of petitioner no.1 is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 323, 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Basic accusation is of torture for non-fulfillment of dowry demand.

It is submitted by learned counsel for the petitioners

that petitioner no.1 admits his marriage with the complainant and he is ready to keep her as wife with full dignity and honour. A statement to that effect has been made in paragraph no.9 of the petition, which reads as under :-

"That petitioner no.1 is also ready to keep his wife with full dignity and honour but wife (complainant) is not ready to do so."

It is further submitted that the accusation is omnibus and general against the petitioners and petitioner no.2 is an old lady.

It appears that the learned Sessions Judge has disposed of the anticipatory bail application of the petitioners since only the summons were issued. Learned counsel for the petitioners has not controverted this fact that only summons have been issued.

Under the circumstances, let the learned Court below consider the prayer for regular bail of the petitioners in view of the ratio laid down in the case of Salim Ansare alias Md. Salim Ansare and Others Vs. The State of Bihar & Another reported in *PLJR 2015(3) 806* and preferably dispose of on the same day, keeping in view of the present stand of petitioner no.1, if the petitioners surrender within a period of six weeks in connection

Complaint Case No.707C/2015, pending before the learned
SDJM, Jamui.

With the above observation, this application is,
accordingly, disposed off.

(Dinesh Kumar Singh, J)

Ashwini/-

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