

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39551 of 2016

Arising Out of PS.Case No. -681 Year- 2015 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

- =====
1. Shivjee Sah son of Sri Sudama Sah
 2. Pintu Sah son of Sri Sudama Sah.
 3. Sudama Sah son of Late Ram Jiwan Sah.
 4. Gangajali Devi wife of Sri Sudama Sah.

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nagendra Upadhyay, Adv.

For the Opposite Party/s : Mr. Sri Anish Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-09-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the brothers and parents of the husband of the complainant are apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of the dowry demand.

It is submitted by the learned counsel for the petitioners that marriage between the complainant and Guddu Sah in the year 2013 and birth of male children are admitted facts. The accusation against the petitioners is omnibus and general and thrust of

accusation is against the husband of the complainant. Moreover, the petitioners have no objection in allowing the complainant to enjoy her share of property in the matrimonial house.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail, 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 SDJM, Bikramganj (Rohtas) in connection with Complaint Case No. 681 of 2015, 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 each petitioner 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.

(Dinesh Kumar Singh, J)

Amrendra/-

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