

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40523 of 2016

Arising Out of PS.Case No. -13 Year- 2016 Thana -MAHILA P.S. District- SHEOHAR

- =====
1. Binod Sah S/o Ramgyan Sah
 2. Ramdulari Devi W/o Binod Sah
 3. Sushil Sah @ Sushil Kumar @ Susil kumar S/o Binod Sah All resident of Village- Bilahiya, P.S. - Tariyani, District- Sheohar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate
For the Opposite Party/s : Mr. Sri Bharat Lal, APP
Mr. Azimuddin, Adv
Mr. Kaushal Kishore, Advocate

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

04/ 09-12-2016

Heard learned counsels for the petitioners, State and the informant.

The petitioners being the parents and brother of the husband of the informant are apprehending their arrest in a case registered for the offences punishable under Sections 498A, 323, 506/34 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

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



It is submitted by learned counsel for the petitioners that the accusation is omnibus and general against the entire in-laws family and the thrust of accusation is against the husband of the informant. The husband of the informant has filed Matrimonial Suit No. 21 of 2016 with a prayer for divorce and thereafter the present case has been lodged. It is further submitted that the husband of the informant has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 07.12.2016 passed in Cr. Misc. No. 48904 of 2016 on the submissions that he is ready to keep the informant as wife with full respect and dignity and also ready to withdraw the matrimonial suit filed by him. The petitioners are also ready to allow the informant to reside in the matrimonial house and they will co-operate in the restitution of matrimonial harmony.

Counsel for the informant does not controvert the fact that the husband of the informant has been granted anticipatory bail.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like



amount each to the satisfaction of learned Chief Judicial Magistrate, Sheohar in connection with Sheohar Mahila P.S. Case No. 13 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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