

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39679 of 2016

Arising Out of PS.Case No. -1678 Year- 2015 Thana -MADHEPURA COMPALINT CASE
District- MADHEPURA

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1. Jagdish Prasad Yadav son of Late Bideshwari Prasad Yadav.
 2. Sumitra Devi wife of Jagdish Prasad Yadav.
 3. Shashi Kant Kumar @ Shashi Kant "Sushil" son of Jagdish Prasad Yadav.
 4. Ratna Devi wife of Shashi Kant Kumar @ Shashi Kant "Sushil".

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-09-2016

Heard learned counsels for the petitioners and the State.

The petitioners being the parents, brother and brother's wife of the husband of the complainant are apprehending arrest in a case registered for the offences punishable under Sections 498A and 406 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 the accusation against the petitioners is omnibus and general and thrust of accusation is against the husband of the complainant. Petitioner nos. 1 and 2 being the parents of the husband of the

complainant are about 70 years of age, petitioner no.3 is a Central Government employee and petitioner no.4 is the wife of petitioner no.3. The petitioners are ready to keep the complainant with full dignity and honour, statement to that effect has been made in para 16 of the petition which reads as follows:-

“That the petitioners all family members are ready to keep her with love and affection....”

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 JM, 1st Class, Madhepura in connection with Complaint Case No. 1678 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 complainant 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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