

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3797 of 2016

Arising Out of PS.Case No. -145 Year- 2015 Thana -AURAI District- MUZAFFARPUR

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1. Nirmala Devi wife of Binod Sah
 2. Krishna Kumari D/o Binod Sah
 3. Babita Devi W/o Suresh Sah
 4. Birendra Kumar @ Virendra Kumar S/o Binod Sah
 5. Suresh Sah S/o Bashishath Sah All residents of Village - Baidhnath Tola, P.S. - Aurai, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raja Ram Rai
For the Opposite Party/s : Mr. H.A.Khan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 04-04-2016 Let in the second paragraph of the order dated 25.01.2016, instead of 'husband of the informant', it should be read as 'daughter of the husband of the informant'.

The order dated 25.01.2016 stands modified to the extent as indicated above.

The petitioners being mother, sister, brother, uncle and aunt of the daughter of the husband of the informant are apprehending their arrest in a case registered for the offences punishable under Sections 147, 341, 323, 504, 506, 379, 307, 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of dowry demand. It is also alleged that accused

persons tried to attempt life of the daughter of the informant by causing burn injury and brother of the husband tried to establish physical relationship.

It is submitted by learned counsel for the petitioners that in Matrimonial Suit No. 306 of 2015 the daughter of the informant and her husband have entered into compromise as they decided to part ways on payment of one time settlement amount. The said compromise petition has been brought on record as Annexure-3 of the supplementary affidavit.

Learned counsel for the informant is not disputing the factum of compromise between the parties and he is not opposing the prayer for bail of the petitioners.

Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Muzaffarpur in connection with Aurai P.S. Case No. 145 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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