

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10044 of 2016

Arising Out of PS.Case No. -214 Year- 2015 Thana -NATHNAGAR District- BHAGALPUR

- =====
1. Om Prakash Singh S/O Late Mohan Lal Singh
 2. Kamal Devi W/o Om Prakash Singh
 3. Gourav Raj, S/O Om Prakash Singh, all resident of village- Teghra, P.S.- Tarapur, District- Munger

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand

For the Opposite Party/s : Mr. Anil Kr.Singh 1(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 10-03-2016

Petitioners being parents and the brother of

the husband of the informant are apprehending their arrest in a case registered for the offences punishable under Sections 498A/34 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 submitted by learned counsel for the petitioners that there is omnibus and general allegation against the entire in-laws family and the thrust of the accusation is against the husband of the informant. The petitioners have no objection in allowing the informant to enjoy her share of property in the matrimonial house. Moreover the husband of the informant wants to keep her with full dignity and honour

and has filed Matrimonial Suit No. 140 of 2015 for the restitution of conjugal life.

It is submitted by learned counsel for the informant that informant was assaulted at the hands of the in-laws and she has been driven out from the matrimonial house.

Considering the nature of accusation, 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 Additional Chief Judicial Magistrate, Bhagalpur in connection with Nathnagar(Lalmatiya) P.S. Case No. 214 of 2015, G.R. No. 3620 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioners will be accepted on filing separate affidavit that these petitioners will allow the informant to enjoy her share of property in the matrimonial house. Let the said affidavit be transmitted to the concerned police station by learned Court below.

Shageer/-

(Dinesh Kumar Singh, J)

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