

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14334 of 2016

Arising Out of PS.Case No. -1761 Year- 2015 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

- =====
1. Ram Iswar Singh son of Late Jagat Singh
 2. Manju Devi wife of Ram Ishwar Singh
 3. Rahul Singh @ Ram Kumar Singh, son of Ram Ishwar Singh
- All are resident of Village-Harpur Kala P.S.-Majorganj, District-Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Jha

For the Opposite Party/s : Mr. Binod Kumar No. 2 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-04-2016

Petitioners being parents and brother of the

husband of the complainant are apprehending their arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code.

The basic accusation is of torture after the death of the husband of the complainant.

It is submitted by learned counsel for the petitioners that petitioners are ready to keep and maintain the complainant with dignity and honour. A statement to that effect has been made in para 8 of the petition which reads as follows:-

“That in fact, after death of
the husband of the complainant, the petitioners are
ready to keep and maintain her with full dignity and

honour.....”

It is further submitted that it is the complainant who is not ready to reside in the matrimonial house which gets reflected from paragraph 6 of the impugned order which reads as follows:-

“At the time of hearing of this present anticipatory bail petition, the complainant Kajal Devi appeared before the court and denied for going at her sasural.....”

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 Sub-Divisional Judicial Magistrate, Sadar, Sitamarhi in connection with Complaint Case No. C1-1761 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioners shall be accepted on filing separate affidavit that they will allow the complainant to enjoy her share of property in the matrimonial house. It is expected from the learned Court below to get the said affidavit transmitted to the concerned police station.

(Dinesh Kumar Singh, J)

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