

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18072 of 2016

Arising Out of Complaint Case No.. -993 Year- 2014 Thana -MADHUBANI COMPLAINT CASE
District- MADHUBANI

- =====
1. Meena Devi, wife of Sri Tapeswar Thakur
 2. Tapeswar Thakur, son of late Julum Thakur

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate

For the Opposite Party/s : Mr. Md.Ashlam Ansari (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-04-2016

Heard learned counsels for the petitioners and the
State.

The petitioners being parents of the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 323/498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Basic accusation is of torture for non-fulfillment of dowry demand.

It is submitted by learned counsel for the petitioners that the thrust of accusation is against the husband of the complainant and the petitioners claim to be separate from the husband of the complainant. The petitioners have no objection in allowing the complainant to enjoy her share of property in the

matrimonial house.

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 SDJM, Madhubani in connection with Tr. No. 5051/2015 arising out of C.R. No.993/2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioners will be accepted by the learned court below on filing of separate affidavit to the effect that they will not interfere into the conjugal rights of the complainant and allow the complainant to enjoy her share property in matrimonial house. It is expected that the learned Court below shall get the said affidavit transmitted to the concerned police station.

(Dinesh Kumar Singh, J)

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