

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22084 of 2016

Arising Out of PS.Case No. -587 Year- 2015 Thana -NAUBATPUR District- PATNA

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1. Mira Devi W/o Vijay Prasad
2. Pooja Kumari daughter of Vijay Prasad Both R/o Naubatpur, P.S.-
Naubatpur, Dist- Patna

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Tiwary

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 08-08-2016 Heard learned counsel for the parties.

Petitioner no.1 being the landlord of the daughter and son-in-law of the informant and petitioner no.2 being the daughter of petitioner no.1 are apprehending arrest in a case registered for the offences punishable under sections 498A, 323, 326, 304B/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

Prosecution case is that Raushan Kumar @ Anjani Kumar married with the daughter of the informant Shalini Raj four months prior to lodging of the case by enticing her away. It is alleged by the prosecution that the husband of the victim is the adopted son of petitioner no.1.

It is submitted by the learned counsel for the petitioners that Petitioner no.1 and her husband Vijay Prasad are the landlord of the husband of the daughter of the informant. There is no

documentary evidence with regard to adoption. There is no question of adoption since petitioner no.1 and her husband have issue. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent. It is further submitted that there is no eye witness to the occurrence.

Learned A.P.P. after going through the case diary suggests that there is no eye witness to the occurrence but suspicion has been raised against the petitioners.

Considering the fact that there is no eye witness to the occurrence and there is nothing on record to suggest that husband of the daughter of the informant is adopted son of petitioner no.1 and moreover petitioner no.2 being unmarried girl, let the abovenamed petitioners be released on anticipatory bail, in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the A.C.J.M., Danapur, District Patna in Naubatpur P.S. Case No. 587/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

Surendra/-

(Dinesh Kumar Singh, J)

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