

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44701 of 2016

Arising Out of PS.Case No. -24 Year- 2016 Thana -MAHILA PS District- GOPALGANJ

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1. Sheshnath Prasad @ Sheshnath Pd. Gupta S/o Late Yasodalal
 2. Parvati Devi W/o Sheshnath Prasad Gupta @ Sheshnath Prasad
 3. Sandip Kumar
 4. SidharthKumar@Lalu Both S/o Sheshnath Prasad @ Sheshnath Pd. Gupta All Resident of Mohalla- Dakhin Hathu More, P.S.- Mirganj, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kant

For the Opposite Party/s : Mr. Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 17-10-2016 Heard learned counsels for the petitioners and the State.

The petitioners being parents and brothers of the husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 498A and 313/34 of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands and getting the pregnancy terminated.

It is submitted by the learned counsel for the petitioners that the accusation is omnibus and general against the entire inlaws family including the petitioners. Thrust of the accusation is

against the husband of the informant. At earlier point of time the informant lodged a written report at Gaziabad Mahila police station but the same was withdrawn wherein simple accusation of torture was levelled without there being accusation of getting the pregnancy terminated but in the present case the accusation of getting the pregnancy terminated has been levelled without any medical document supporting the accusation of termination of pregnancy. The petitioners claim to be separate from the husband of the informant.

Considering the accusation being omnibus and general against the petitioners and thrust of accusation against the husband of the informant, 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 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 learned CJM, Gopalganj in connection with Gopalganj Mahila P.S. Case No.24 of 2016 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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