

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37708 of 2016

Arising Out of PS.Case No. -324 Year- 2016 Thana -PHULWARI District- PATNA

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1. Arjun Choudhary son of Late Tetri Choudhary
2. Mukesh Kumar son of Arjun Choudhary Both residents of Village
Bhusaula Danapur, P.S. - Phulwarisharif, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ugranath Mallik

For the Opposite Party/s : Mr. Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-08-2016

Heard learned counsels for the petitioners and the State.

The petitioners being father in law and brother in law of the informant are apprehending arrest in a case registered for the offences punishable under Sections 498A and 307/34 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 making assault. The accusation of assault is specific against petitioner no. 2 Mukesh Kumar.

It is submitted by the learned counsel for the petitioners that in the background of partition suit the accusation has been levelled. The accusation is of not allowing the informant from entering into the matrimonial house, demanding dowry and

making assault to the informant. The injury of the informant has been found to be superficial simple in nature. The petitioners have also received injuries. Said injury report has been brought on record as Annexure 5. There is counter version of the occurrence also being Phulwarisharif P.S. Case No. 327 of 2016 registered under sections 341,323,379,504 and 308/34 IPC lodged by petitioner no. 1 against the informant. Though the case of the petitioner was registered subsequent to the case lodged by the informant since the informant's brother is a police officer.

Considering the nature of dispute and there being a counter version of the occurrence, 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 JM Ist Class, Patna, in connection with Phulwarisharif P.S. Case No.324 of 2016 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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