

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47053 of 2016

Arising Out of PS.Case No. -567 Year- 2016 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

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1. Rekha Devi wife of Amod Kumar @ Amod Kumar Srivastava.
 2. Amod Kumar @ Amod Srivastava son of late Yamuna Prasad.
 3. Sanni Kumar son of Amod Kumar @ Amod Kumar Srivastava.
 4. Sonu Kumar son of Amod Kumar @ Amod Kumar Srivastava
- Petitioner/s

Versus

1. State of Bihar
2. Priya Sinha wife of Akash Kumar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-10-2016

Heard learned counsels for the petitioner and the State.

The petitioners being the parents and brothers of the husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 406, 498A, 323, 307/34 and 120B of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture and making assault to the informant for non-fulfillment of the dowry demand. It is also alleged that the accused persons driven out the informant from matrimonial house.

It is submitted by the learned counsel for the petitioners that the informant eloped with one Akash leading to registration of Hajipur Town P.S. Case No. 218 of 2016 under Section 366A of

the IPC wherein the informant's 164 Cr. P.C. statement was recorded where she stated that she of her own married with Akash. Since the petitioners did not like the manner in which the marriage was performed, hence maliciously they have been roped in the present case. The petitioners claim to be separate from the husband of the informant.

Considering the nature of accusation levelled in the background of marriage being performed between the informant and Akash on elopement, 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 Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Hajipur in connection with Hajipur Town P.S. Case No. 567 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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