

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17792 of 2016

Arising Out of PS.Case No. -32 Year- 2016 Thana -PARIHAR District- SITAMARHI

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1. Fulo Devi wife of Mahendra Thakur
2. Mahendra Thakur, son of Late Dewaki Thakur
Both resident of Village-Adkhanni, P.S.-Parihar, District-Sitamarhi
..... Petitioner/s

Versus

1. The State of Bihar
..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.
For the Opposite Party/s : Mr. Satyavarta Verma (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-04-2016 The petitioners being parents of the husband of the informant are apprehending their arrest in a case registered for the offences punishable under Sections 498A, 494, 504, 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of dowry demand and performing second marriage. It is alleged against the petitioners that petitioners are not allowing the informant and her children to reside in the matrimonial house.

It is submitted by learned counsel for the petitioners that thrust of accusation is against the husband of the informant. The petitioners are ready to allow the informant to enjoy her share of property in the matrimonial house. A statement to that effect has been made in para 11 of the petition which reads as follows:-

“That the petitioners are ready to keep his daughter-in-law and her minor children with full honour and dignity but the informant, who herself do not want to live with family members of her husband”

Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 6, Sitamarhi in connection with Parihar P.S. Case No. 32 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioners shall be accepted on filing separate affidavit that they will allow the informant to enjoy her share of property in the matrimonial house. It is expected from the learned Court below to get the said affidavit transmitted to the concerned police station.

(Dinesh Kumar Singh, J)

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