

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34253 of 2016

Arising Out of PS.Case No. -5 Year- 2014 Thana -MAHILA P.S. District- MADHEPURA

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1. Khushboo Devi wife of Rupesh Kumar
 2. Rupesh Kumar son of Pitambar Sahi Both residents of Village - Jitapur (Bhatkhora Bazar) Police Station - Murliganj, District - Madhepura.
 3. Nitin Kumar Son of Late Shailendra Sah
 4. Nitish Kumar Son of Late Shailendra Sah Both residents of Village - Gulzarbag, Ward No. 20, Police Station - Madhepura, District - Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Lakhi Devi Wife of Navin Kumar Sah Ward No. 20, Police Station - Madhepura, District - Madhepura, Present Add. C/o Shashi Prasad Gupta, Resident of Kharagpur, Police Station - Sonvarsa Kachhari, District - Saharsa.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad

For the Opposite Party/s : Mr. Sri Murlidhar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-08-2016 Heard learned counsels for the petitioners and the State.

The petitioners being married sister, brother in law and brothers of the husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 498A and 323/34 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.

It is submitted by the learned counsel for the petitioners

that on conclusion of investigation the petitioners were not sent up for trial as only charge sheet was submitted against the husband of the informant but differing with the final form cognizance has been taken against the petitioners also. More over, the informant has filed Divorce Suit No. 13 of 2016 with a prayer for divorce.

Considering the fact that accusation has not been found true against the petitioners during investigation, 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 SDJM, Madhepura in connection with Madhepura Mahila P.S. Case No.5 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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