

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36818 of 2016

Arising Out of PS.Case No. -1451 Year- 2015 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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1. Bachhi Devi, W/o Nand Kishore Srivastav
2. Jitendra Prasad Srivastav, S/o Nand Kishore Srivastav Both resident of
Village- Bantel, P.S.-Kuchaikot, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar
2. Priti Kumar & Pinki, W/o Sanjiv Srivastav, R/o Village- Bantel, P.S.-
Kuchaikot, District- Gopalganj, at present D/o Santosh Prasad Srivastav,
Bedesi Tola, P.S.- Thawe, District- Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Rakesh
For the Opposite Party/s : Mr. Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-10-2016 Heard learned counsels for the petitioners and the State.

The petitioners being mother and brother of the husband of the complainant are apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and section 4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

Learned counsel for the petitioners submits that the thrust of accusation is against the husband of the complainant.

It appears that the learned Sessions Judge has disposed

of the anticipatory bail application of the petitioners in view of the ratio laid down in the case of Salim Ansare alias Md. Salim Ansare and Others Vs. The State of Bihar & Another reported in PLJR 2015(3) 806 (Cr. Misc. No. 51075 of 2014 since only the summons were issued. Learned counsel for the petitioners has not controverted this fact that only summons have been issued till date.

In the circumstances, it is a case for bail in view of the ratio laid down in the case of Salim Ansare alias Md. Salim Ansare and Others Vs. The State of Bihar & Another reported in PLJR 2015(3) 806 if the petitioners surrender within six weeks from today in connection with Complaint Case No. 1451 of 2015 pending in the court of learned S.D.J.M. Gopalganj.

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

Anil/-

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