

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35436 of 2016

Arising Out of PS.Case No. -105 Year- 2016 Thana -DEEPNAGAR District- NALANDA
(BIHARSHARIFF)

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1. Renuka Devi, wife of Shyam Kishore Prasad
2. Shakuntala Devi, daughter of Shyam Kishore Prasad, wife of Jamendra Prasad
3. Sulochana Devi, daughter of Shyam Kishore Prasad, wife of Abhiraj @ Abhiraj Kumar
4. Abhiraj @ Abhiraj Kumar, son of late Ashok Prasad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Verma, Advocate
For the Opposite Party/s : Mr. Sri Madhuranand Jha, APP
For the informant : Mr. Anil Kumar, Advocate
Mr. Arjun Prasad No.1, Advocate

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-08-2016 Heard learned counsels for the petitioners, informant and the State.

The petitioners being the mother, married sisters and brother-in-law of the husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 307, 498A/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

Basic accusation is of torture for non-fulfillment of dowry demand and made an attempt to cause burn injury to the

informant.

It is submitted by learned counsel for the petitioners that petitioner no.1 is an old lady, petitioner nos. 2 and 3 are married sisters whereas petitioner no.4 is brother-in-law of the husband of the informant and they claim to be reside separately from the husband. The husband of the informant filed Matrimonial Suit No. 277/2015 for restitution of conjugal life and on the basis of the order passed in the aforesaid matrimonial suit, the informant went to the husband's place of employment at Maharastra and on return she lodged the present FIR on 01.06.2016. Hence, torture, if any, was inflicted at the place of employment of the husband by him and not by the petitioners, hence, the thrust of accusation is against the husband of the informant.

It is submitted by learned counsel for the informant that the torture was inflicted by the entire in-laws family and they made an attempt to cause burn injury to the informant.

Considering the thrust of accusation against the husband of the informant, 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 ₹10,000/- (ten thousand) each

with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Nalanda, Bihar Sharif, in connection with Deep Nagar P.S. Case No.105/2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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