

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26970 of 2016

Arising Out of PS.Case No. -292 Year- 2015 Thana -CHANDAUTI District- GAYA

1. Md. Shamsher Ali, son of Late Noor Mohammad,
2. Shabnam Ara @ Shabnam, wife of Md. Shamsher Ali Both resident of
village- Khas Bazar, Navi Nagar, P.S. Haveli Kharagpur, District- Munger.
.... .. Petitioners

Versus

The State of Bihar

.... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Sri Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 20-07-2016 Heard learned counsel for the parties.

The petitioners being the parents of the husband of the informant are apprehending their arrest in a case registered for the offence punishable under sections 498A of the Indian Penal Code and 3/4 of the 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 the accusation is general and omnibus against the entire in-laws including the petitioners. Moreover, the thrust of accusation is against the husband of the informant.

Learned counsel for the informant submits that the informant is ready to resolve the issue.

It is, however, submitted by the learned counsel for the petitioners that the petitioners will allow the informant to enjoy her share of property in the matrimonial house.

Considering the aforesaid facts, let the petitioners, abovenamed, in the event of their arrest or surrender before the court below within a period of twelve weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya in Chandauti P.S.Case No. 292/2015, 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 by the learned court below on filing of affidavit to the effect that they will not interfere into the conjugal life of the informant and allow the informant to enjoy her share of property in matrimonial house. It is expected that the learned court below shall get the said affidavit transmitted to the concerned police station.

(Dinesh Kumar Singh, J)

Surendra/-

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