

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20687 of 2016

Arising Out of PS.Case No. -47 Year- 2015 Thana -MAHILA THANA District- BEGUSARAI

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1. Garib Das @ Garib Yadav @ Garib Das Yadav, son of late Kailu Yadav
 2. Kalbatiya Devi, wife of Garib Das @ Garib Yadav @ Garib Das Yadav
 3. Saro Devi, D/o Garib Das @ Garib Yadav @ Garib Das Yadav
 4. Bipin Yadav, S/o Garib Das @ Garib Yadav @ Garib Das Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indrajit Kumar, Advocate

For the Opposite Party/s : Mr. C.Sen Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-05-2016 Heard learned counsels for the petitioners and the State.

The petitioners being parents, sister and brother of the husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 323, 498A, 307, 504/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

Basic accusation is of torture for non-fulfillment of dowry demand. It is also alleged that the accused persons made an attempt to cause burn injuries to the informant by pouring kerosene oil and made an attempt to lit fire.

It is submitted by learned counsel for the petitioners that the petitioners claim to be separate from the husband of the

informant and the accusation against the petitioners is omnibus and general. A statement has been made in paragraph 6 of the petition that the petitioners and the husband of the informant tried their best to keep the informant with honour and dignity. The husband of the informant has also filed Matrimonial Suit No.96/2015 for restitution of conjugal rights. Moreover, the petitioners are ready to allow the informant to enjoy her share of proper in the matrimonial house.

Considering the present stand of the petitioners and 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 SDJM, Begusarai, in connection with Mahila P.S. Case No.47/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioners will be accepted by the learned court below on filing of separate affidavit to the effect that they will not interfere into the conjugal life of the complainant and allow the complainant to enjoy her share property in matrimonial house. It is expected that the learned

Court below shall get the said affidavit transmitted to the concerned police station.

Ashwini/-

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(Dinesh Kumar Singh, J)