

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33108 of 2016

Arising Out of PS.Case No. -45 Year- 2016 Thana -MADANPURA District- AURANGABAD

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1. Prem Prabhat Singh son of Sheo Shankar Singh.
 2. Sheo Shankar Singh son of Late Krishnadeo Singh
 3. Pinki Singh @ Pinki Devi wife of Prem Prabhat Singh.
 4. Sunita Devi wife Sheo Shankar Singh.
 5. Lakho Devi @ Dakho Devi @ Tako Devi wife of Late Krishndeo Singh.

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.

For the Opposite Party/s : Mr. Sri Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 18-08-2016

Heard learned counsels for the petitioners and the State.

The petitioners being the brother, father, brother's wife, mother and grand-mother of the husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 498A and 323 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of the dowry demand.

It is submitted by the learned counsel for the petitioners that the petitioners admit marriage of the informant with Rahul Kumar. Thrust of accusation is against the husband of the informant. The accusation against the petitioners is omnibus and

general. It is further submitted that the informant was suffering from Hepatitis-B and for that she was being provided medical assistance by her husband, the medical report to that effect has been brought on record. Moreover, the petitioners have no objection in allowing the informant to enjoy her share of property in the matrimonial house.

It is submitted by the learned counsel for the informant that the husband of the informant has not filed any bail application and he has oral instruction that the petitioners are on police bail.

Considering the fact that thrust of accusation is against the husband of the informant and there is nothing on record to suggest that the petitioners are on police bail nor the impugned order suggests as such, 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 C.J.M., Aurangabad in connection with Madanpur P.S. Case No. 45 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioners shall be accepted by the learned court below on filing separate affidavit by each

petitioner that they will allow the informant to enjoy her share of property in the matrimonial house. The said affidavit will be transmitted to the concerned I.O., by the learned court below.

(Dinesh Kumar Singh, J)

Amrendra/-

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