

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39804 of 2016

Arising Out of PS.Case No. -101 Year- 2016 Thana -DHANAH District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Gaudi Devi, wife of Paras Yadav,
 2. Paras Yadav, son of Late Baburam Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Zainul Abedin, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-09-2016 Heard learned counsels for the petitioners and the

State.

The petitioners being the parents of the husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 498A, 504 and 506/34 of the Indian Penal Code.

Prosecution case is of inflicting torture after two years of marriage by the entire in-laws family including the petitioners. It is specifically alleged that on 10.06.2016, the accused persons including the petitioners made an attempt to kill the informant by causing burn injuries. On alarm being raised, the villagers came then the informant could be saved.

It is submitted by learned counsel for the petitioners

that the thrust of accusation is against the husband of the informant, who is in custody. The husband is still ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in paragraph 13 of the petition, which reads as under :-

"That it is humbly submitted that the husband of the informant has ready to keep his wife with full honour and dignity."

It is further submitted that the petitioners claim to be separate from the husband of the informant and they are ready to allow the informant to enjoy her share of property in the matrimonial house, though statement to that effect has not been made in the petition.

Considering the aforesaid facts, 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 ACJM, Bagaha, West Champaran, in connection with Dhanaha P.S. Case No.101/2016, 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 by each petitioner to the effect that they will allow the complainant to enjoy her share of property in matrimonial house. It is expected from the learned Court below to get the said affidavits transmitted to the SHO of concerned police station.

(Dinesh Kumar Singh, J)

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