

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41885 of 2016

Arising Out of PS.Case No. -168 Year- 2016 Thana -KAHALGAON District- BHAGALPUR

- =====
1. Purusottam Kumar @ Purushottam Kumar Son of Late Rajendra Prasad Choudhary
 2. Smt. Meenu kashyap, Wife of Purusottam Kumar,

.... Petitioner/s

Versus

1. The State of Bihar.
2. Priti Kumari, Daughter of Sri Shivendra Kumar Thakur, Wife of sunny Kashyap

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Ranjan, Advocate

For the Opposite Party/s : Mr. Umeshnand Pandit (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 27-09-2016 Heard learned counsels for the petitioners and the State.

The petitioners being the brother-in-law and sister of the husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 498A/379/34 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 submitted by learned counsel for the petitioners that the petitioners used to reside at Bokaro and they are not concerned with relation of the informant and her husband. However, the petitioners are ready not to interfere into the conjugal life of the informant and her husband.

It is submitted by learned counsel for the informant that the impugned order reflects that the issue could not be reconciled due to non-appearance of the petitioners before the mediation centre which shows that they have no respect for the court's order.

Learned counsel for petitioners submits that since the petitioner no.1 was in private job hence he could not get leave to appear at the court.

Considering the thrust of accusation against the husband of the informant, let the above named petitioners be released on anticipatory bail provisionally for six months, 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 CJM, Bhagalpur, in connection with Kahalgaon P.S. Case No.168/2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional anticipatory bail of the petitioners

will be confirmed by the learned Court below in the event, on appearance of the petitioners, if the Court below feels that the petitioners are not required during the process of mediation.

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(Dinesh Kumar Singh, J)