

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6194 of 2017

Arising Out of PS.Case No. -109 Year- 2016 Thana -CHAKAI District- JAMUI

- =====
1. Lilita Devi, Wife of Yamuna Yadav.
 2. Munshi Yadav, Son of Puran Yadav.
 3. Arjun Yadav, Son of Lalo Yadav,
 4. Nandan Yadav, Son of Yamuna Yadav. All Residents of Village Haran Singha, P.S.- Chakai, District- Jamui.
 5. Top Lal Yadav, Son of Late Tarachand Yadav.
 6. Lal Mohan Yadav, Son of Rohan Yadav, Both residents of Village Chakra, P.S. Chakai, District- Jamui (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Mukund

For the Opposite Party/s : Mr. Dilip Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-02-2017 Heard the parties.

This application has been filed in connection with Chakai P.S.Case No.109 of 2016 for the offence under Sections 341, 323, 504, 506, 379 and 498A of the Indian Penal Code and ¾ of the Dowry Prohibition Act.

It is submitted on behalf of the petitioners that as per the F.I.R. there is omnibus allegation against the petitioners and the husband is not the petitioner in this case. Petitioner no.1 is mother-in-law of the informant and others are relatives of the husband of the informant. It has further been submitted on behalf of the petitioners that it is a clear case of misuse of Section 498A of the Indian penal Code as on the basis of an omnibus allegation, the



full family members have been implicated in this case.

Heard learned A.P.P. also.

Having heard both sides. In view of the fact that there is omnibus allegation against the petitioners and the petitioner no.1 is mother-in-law of the informant and others are family members as such, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of ACJM 2nd, Jamui in connection with Chakai P.S.Case No.109 of 2016, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police otherwise, the prosecution is free to move for cancellation of their bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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