

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18142 of 2017

Arising Out of PS.Case No. -321 Year- 2016 Thana -SHRIKRISHNAPURI District- PATNA

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1. Shyam Narayan Singh, Son of Late Parmanand Singh, Resident of Siddheshwar Nagar, Qr. No. 152A, P.S. Patliputra, District - Patna.
 2. Arvind Kumar S/o Shyam Narayan Singh resident of village - Habaspur, P.S. Paliganj, District - Patna at present residing at Siddheshwar Nagar Qr. 152A, P.S. Patliputra, District - Patna.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Nilanjan Chatterjee, Advocate.
For the Opposite Party : Mr. Ram Anurag Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 19-05-2017 Heard both sides.

The petitioners apprehend their arrest in S.K. Puri P.S. Case No. 321 of 2016, registered for the offences punishable under Sections 498A, 354 and 379 of the Indian Penal Code and under Sections 3 and 4 of the Dowry Prohibition Act.

The informant alleged that she was married to Praveen Kumar on 25.11.2013 and she went to her Sasural on 26.11.2013. The informant narrated the entire story in her written application on the basis of which the present FIR was registered. The informant alleged that the petitioner and other family members including her husband subjected her to all sorts of torture due to non-fulfillment of additional demand of dowry. Her husband took



her to Delhi and kept in a boys' hostel in JNU campus. When the informant came to her Sasural she made allegation against the petitioners that they assaulted her and did not allow her to enter into the house.

Shri P.K. Shahi, learned senior counsel appearing on behalf of the petitioners submits that the petitioners are father-in-law and brother-in-law, elder brother of the husband of the informant. Ofcourse, the allegations are made against them but the husband of the informant is an employed person and the allegations are made against the petitioners only to put pressure against all the family members of the petitioners. The petitioners have no manner of concern with the family affairs of the informant and her husband. The husband of the informant filed informatory petition on 27.08.2016. The husband of the informant thereafter filed Matrimonial (Divorce) Case No. 1263 of 2016 and the informant filed this case.

On the other hand, learned counsel for the informant and the learned APP vehemently opposed the prayer for anticipatory bail of the petitioners and submits that from perusal of the FIR, itself, it would appear that the informant made allegations against the petitioners also. It appears that the marriage was solemnized in the year 2013 but, their relation became strained.



Much prior to the filing of this case, the husband of the informant filed informatory petition as well as divorce case, thereafter, the informant filed this case on 16.12.2016.

Considering the facts aforesaid and the facts that the petitioners are father-in-law and brother-in-law of the informant, the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Class Judicial Magistrate at Patna in S.K. Puri P.S. Case No. 321 of 2016, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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