

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12723 of 2017

Arising Out of PS.Case No. -11 Year- 2017 Thana -GHANSHYAMPUR District- DARBHANGA
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1. Shailo Devi wife of Suresh Jha
2. Reeta Devi daughter of Suresh Jha
3. Suresh Jha son of Late Kantir Jha
4. Pankaj Kumar Jha son of Suresh Jha All residents of village Lagma,
P.S. Ghanshyampur, District Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s
=====

Appearance:

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate.
Mr. Pravin Kumar, Advocate.
Mr. Shashank Shekhar, Advocate.

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, Advocate.
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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**
ORAL ORDER

2 10-04-2017 Heard both sides.

The petitioners apprehend their arrest in Ghanshyampur P. S. Case No. 11 of 2017 registered for the offences under Sections 341, 323, 324, 498A and 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

The informant alleged that his sister was married to Pawan Kumar Jha on 25.05.2016 and went to her Sasural but after sometime Pawan Kumar Jha asked his sister to bring Rs. 2 lakhs from her father and brother for payment of labourers. The informant further alleged that his sister gave birth to a female child on 02.02.2016 and after that all the accused persons started



torturing her and Pawan Kumar Jha strangled the child to death.

Learned counsel for the petitioners submits that the petitioners are father-in-law, mother-in-law, sister-in-law and brother-in-law of the sister of the informant. In fact, the marriage was solemnized in the year 2015, but the informant has wrongly given the date of marriage as 25.05.2016. The sister of the informant gave birth to a child on 02.02.2016 itself. It is submitted that Pawan Kumar Jha filed a petition under Section 9 of the Hindu Marriage Act for restitution of conjugal rights on 28.11.2016. Notice was received by the father of the wife of Pawan Kumar Jha on 26.12.2016, and thereafter this case was lodged on 17.01.2017. The informant has not made any sorts of allegation against the petitioner.

Learned APP opposes the prayer of anticipatory bail, but count not submit anything with regard to specific allegation against the petitioner.

Considering the facts aforesaid and that the petitioners are in-laws of the sister of the informant, the above named petitioners, in the event of their arrest or surrender before the learned 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 Judicial Magistrate, Biraul, Darbhanga in Ghanshyampur P. S. Case No. 11 of 2017, 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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