

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.15834 of 2017**

Arising Out of PS. Case No. -76 Year- 2015 Thana -MAHILA P.S. District- BHAGALPUR

- =====
1. Janish Kumar @ Julo Yadav,
  2. Pankaj Kumar Yadav @ Pankaj Yadav,
  3. Nitesh Kumar @ Nitu Yadav,  
Petitioner Nos.1 to 3 are sons of Late Lukho Yadav,
  4. Most. Ratula Devi, Wife of Late Lukho Yadav,
  5. Dezi Devi, Wife of Pankaj Yadav,  
All residents of Village- Naya Tola Mirzapur, P.S.- Nath Nagar,  
(Madhusudanpur), District- Bhagalpur. .... Petitioners
- Versus
1. The State of Bihar.
  2. Bul Bul Devi, Wife of Janish Kumar @ Julo Yadav, Daughter of Veda  
Nand Yadav, Resident of Village Bari Dostani, P.S.- Goradih, District-  
Bhagalpur. .... Opposite Parties
- =====

**Appearance :**

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

=====

**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH**  
**ORAL ORDER**

2      06-07-2017                      Heard learned counsel for the petitioners, State and the informant.

The petitioners apprehend their arrest in a case registered under Sections 498A/34 of the Indian Penal Code and 34 of the Dowry Prohibition Act.

Petitioner no.1 is the husband, petitioner nos. 2 and 3 are brother-in-laws, petitioner no.4 is mother-in-law and petitioner no.5 is Gotani of the informant.

Learned counsel submits that the petitioners are innocent and have falsely been implicated in the instant case. The allegations are general in nature. He further submits that even the police has submitted charge-sheet only under Section 498A of the



Indian Penal Code and 3/4 of the Dowry Prohibition Act and not under Section 494 of the Indian Penal Code. He further submits that cognizance has been taken only under Section 498A of the Indian Penal Code. He submits that petitioner no.1 is an Auto Rickshaw driver.

In the facts and circumstances of the case, in the event of arrest or surrender before the court below within four weeks from today, the petitioner nos. 2, 3, 4 and 5, namely, Pankaj Kumar Yadav @ Pankaj Yadav, Nitesh Kumar @ Nitu Yadav, Most. Ratula Devi and Dezi Devi, be released on bail on furnishing bail bond of Rs.5000/- (Five thousand) each with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Bhagalpur in connection with Mahila P.S. Case no. 76 of 2015 subject to the conditions as laid down under Section 438 (2) Cr.P.C.

So far as petitioner no. 1, namely, Janish Kumar @ Julo Yadav, is concerned, his prayer for grant of anticipatory bail is rejected. However, if he surrenders before the court below and prays for regular bail, the same would be disposed of on the same day without being prejudiced by the order of this Court.

**(Samarendra Pratap Singh, J.)**

Uday/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

