

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37427 of 2018

Arising Out of PS. Case No.-228 Year-2014 Thana- CHARPOKHARI District- Bhojpur

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1. Baban Bharti, Son of Late Raj Ballabh Bharti,
 2. Bimla Devi, Wife of Baban Bharti,
 3. Dhanjee Bharti, Son of Baban Bharti,
 4. Bhuwar Bharti @ Shiv Shankar Bharti, Son of Baban Bharti, All are resident of Village- Bal Mathia, P.s.- Dawath, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar
For the Opposite Party/s : Mrs. Asha Devi

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-07-2018 Heard learned counsel for the petitioners and the State.

The petitioners being parents and brothers of the husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 498A, 354, 406 and 504/34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

The prosecution case as per the Complainant Case No. 2016C of 2014, which was ultimately registered as police case after complaint being transferred under Section 156(3) Cr.P.C., is to the effect that the informant was married with Manoj Bharti on 19.11.2013 in Agiaon Garhani temple.



Subsequently, further dowry demand was made and due to non-fulfillment of the same, the informant was subjected to torture. The husband of the informant used to assault her in an inebriated condition. The co-accused persons attempted to outrage the modesty of the informant and ultimately on 20.08.2014, the informant was driven out of the matrimonial house after snatching her belongings.

It is submitted by learned counsel for the petitioners that the thrust of accusation is against the husband of the informant and the accusation against the petitioners is omnibus and general. So far as accusation under Section 354 of the I.P.C. is concerned, it is levelled against Petitioner Nos. 3,4 and 5, but it is neither specific nor any specific date of such accusation has been given in the F.I.R.

Learned APP submits that the petitioners are named in the F.I.R.

Considering the thrust of accusation against the husband of the informant, let the petitioners above named be released on anticipatory bail for six months in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to



the satisfaction of learned S.D.J.M. Bhojpur at Ara in connection with Charpokhari P.S. Case No. 228 of 2014, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Dinesh Kumar Singh, J)

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