

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36283 of 2018

Arising Out of PS. Case No.-223 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Gauri Chaudhary, Son of Late Mishri Chaudhary.
2. Pramila Devi @ Parmila Devi, Wife of Gauri Chaudhary,
Both resident of Village- Sabnima, P.S. Athmalgola, District-
Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Mamta Devi, Wife of Shiv Shankar Kumar, D/o Shankar Chaudhary,
Resident of Village- Sabnima, P.S. Athmalgola, District- Patna, At present
Address- Mohalla, Pajawapar, P.S. Barh, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap, Adv.
For the Opposite Party/s : Smt. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-06-2018 Heard learned Counsel for the petitioners and learned
APP for the State.

The petitioners, being the parents of the husband of the complainant, are apprehending arrest in a complaint case, wherein, process has been directed to be issued after cognizance being taken for the offences punishable under Sections 323, 498A of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.



As per the complaint petition, the complainant was married with the son of the petitioners on 15.02.2016. Subsequently, for further dowry demand of Rupees One Lac, torture was inflicted and on non-fulfillment of the same, she was ousted from the matrimonial house. It is further alleged that after the Panchayati when the complainant went to her matrimonial house, she became pregnant, but her pregnancy got terminated due to assault made by the accused persons.

It is submitted by learned counsel for the petitioners that the thrust of accusation is against the husband of the complainant. Moreover, the petitioners have no objection if the complainant wants to live in the matrimonial house.

It is submitted by learned APP for the State that the accusation of demand of dowry and torture is also against these petitioners.

Considering the thrust of accusation against the husband of the complainant, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 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 the learned SDJM, Barh, Patna in connection



with Complaint Case No.223C of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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