

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36480 of 2018

Arising Out of PS. Case No.-72 Year-2018 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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1. Satyendra Singh, S/o Late Mahabir Singh,
 2. Shashikala Devi, W/o Satyendra Singh,
 3. Prabhat Kumar Raushan, S/o Satyendra Singh, All three R/o Vill Ramdiha, P.S.- Narari Kala Khurd, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Beauty Devi, W/o Amit Kumar Ranjan, D/o Late Lalan Singh, R/o Village Amba, P.S. Narari Kala Khurd, District- Aurangabad.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh
For the Opposite Party/s : Mr. Sri Asharaf Ansari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-07-2018 Learned counsel for the petitioners is permitted to make necessary correction in paragraph 6 of the petition.

Heard learned counsels for the parties.

The petitioners being parents and brother 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 379, 420 and 498A/34 of the IPC.

The prosecution case as per the complainant Beauty Devi is to the effect that she was married on 7.5.2013 with co-accused Amit Kumar Ranjan and at the time of marriage, mother of the complainant gave adequate dowry and thereafter Rupees Forty



Five Lacs was given after selling three bighas of land. The accused persons also got executed ten kathas of land in favour of petitioner no. 3 and thereafter the accused persons have been pressurizing the mother of the complainant for further transfer of land. On protest, the accused persons inflicted torture and ultimately, on 10.10.2017 they drove the complainant out of her matrimonial house.

It is submitted by learned counsel for the petitioners that for the same cause of action and accusation, earlier Aurangabad Mahila P.S. Case No. 3 of 2018 was registered for the offences punishable under sections 498A and 420/34 of the IPC and Sections 3 and 4 of Dowry Prohibition Act wherein the petitioners have been granted anticipatory bail by a bench of this Court vide order passed in Cr. Misc. No. 14750 of 2018.

The complainant has admitted in paragraph 4 of the complaint that the police report was submitted but no action was taken in the said police case.

Learned APP submits that there is specific accusation against the petitioners.

Considering the fact that as per own admission of the complainant, the police report was submitted for the same accusation wherein the petitioners were granted anticipatory



bail, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks 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 CJM VIII, Aurangabad in connection with Complaint Case No. 72 of 2018 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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