

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36581 of 2018

Arising Out of PS. Case No.-44 Year-2017 Thana- MAHILA P.S. District- Saran

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1. Bipin Bihari Rastogi @ Bipin Bihari, son of Late Ram Dayal Rastogi,
 2. Uma Devi @ Uma Rastogi, wife of Bipin Bihari Rastogi, Both resident of Mohalla- Arya Nagar Katahari Bagh, P.S.- Chapra Town, District- Saran. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Adv.
For the Opposite Party/s : Sri Rajballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-06-2018 Heard learned Counsels for the petitioners, informant and learned APP for the State.

The petitioners, being the parents of the husband of the informant, are apprehending arrest in a case registered for the offences punishable under Sections 323/341/498A/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The prosecution case got initiated on the basis of written report dated 22.08.2017 submitted by the informant Chandani Rastogi to the Station House Officer, Mahila Town, Chapra Police Station to the effect that the marriage of the informant was performed with Kumud Chiranjiv in the year 2014, but, subsequently, further dowry demand of Rupees Five Lakhs was made and on non- fulfillment of the same, torture was inflicted upon the informant.



It is submitted by learned counsel for the petitioners that the accusation is omnibus and general. The petitioners claim to be separate from the husband of the informant. Moreover, the thrust of accusation is against the husband of the informant. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that there is specific accusation against the petitioners.

Considering the thrust of accusation against the husband of the informant, 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, Saran at Chapra, in connection with Saran Mahila P.S. Case No.44 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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