

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10995 of 2019

Arising Out of PS. Case No.-151 Year-2018 Thana- NAUTAN District- Siwan

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1. Ram Ekbal Gupta @ Ram Ekbal Sah, Son of Late Briksha Sah Resident of Village- Gambhirpur, P.O.- Mirjapur, P.S.- Nautan, District- Siwan.
 2. Shiv Kumari Devi @ Shiv Kumari, Wife of Ram Ekbal Gupta @ Ram Ekbal Sah Resident of Village- Gambhirpur, P.O.- Mirjapur, P.S.- Nautan, District- Siwan.
 3. Indrawati Devi, Daughter of Ram Ekbal Gupta @ Ram Ekbal Sah Resident of Village- Gambhirpur, P.O.- Mirjapur, P.S.- Nautan, District- Siwan.
 4. Krishna Kumari @ Kisnawati Kumari @ Krishna Wati Kumari, Daughter of Ram Ekbal Gupta @ Ram Ekbal Sah Resident of Village- Gambhirpur, P.O.- Mirjapur, P.S.- Nautan, Siwan.
 5. Yogendra Sah, Son of Late Balchand Sah R/o of Village- Baraipaar Pandey, P.S.- Khampar, District- Devariya (U.P.).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Devi, W/o- Dinesh Gupta, D/o Harishchandra Gupta R/o Village- Tadawan, P.S.- Bankatta, District- Devariya (U.P.), at present R/o Village- Gambhirpur, P.O.- Mirjapur, P.S.- Nautan, District- Siwan.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar
For the Opposite Party/s : Mr. Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-02-2019 Heard learned counsels for the petitioners and the State.

The petitioner nos. 1 to 4, being the parents and sisters of the husband of the informant and petitioner no.5, being the mediator in the marriage of the informant are apprehending arrest in a case registered for the offences punishable under Sections 323, 498A and 406/34 of the IPC and Sections 3/4 of the Dowry Prohibition Act.



The prosecution case got initiated by filing of Complaint Case No. 1340 of 2018, by Priyanka Devi, which subsequently got registered as a police case after the same being transferred under Section 156(3) of the Cr. P.C. The prosecution case is to the effect that the marriage of the informant was performed with co-accused Dinesh Gupta on 25.04.2012, but subsequent to the marriage, further dowry demand of Rs. 2 lacs and a motorcycle was made, and due to non-fulfillment of the same, the informant was tortured by the petitioners and other in-law family members. Ultimately, on 06.06.2018, the informant was driven out from the matrimonial house.

It is submitted by learned counsel for the petitioners that the thrust of accusation is against the husband of the informant. The accusation against the petitioners is omnibus and general. It is further submitted that petitioner no.5 is an outsider, but he has been made accused since he mediated in the marriage of the informant.

Learned APP submits that the petitioners are named in the FIR.

Considering the thrust of accusation being levelled against the husband of the informant, coupled with the statement made in paragraph no.3 of the petition that the petitioners are



not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XII, Siwan in connection with Nautan P.S. Case NO. 151 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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