

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19387 of 2019

Arising Out of PS. Case No.-36 Year-2016 Thana- MAHILA P.S. District- Sheikhpura

1. KANCHAN DEVI Wife of Surendra Paswan Resident of Village - Chewara, P.S.- Chewara, Distt - Sheikhpua. At present address - Patil Complex Chirdali Taluk Habeli, P.S.- Dahu Road, Puna District - Pune (Maharastra)
2. Surendra Paswan Son of Late Mishri Paswan Resident of Village - Chewara, P.S.- Chewara, Distt - Sheikhpua. At present address - Patil Complex Chirdali Taluk Habeli, P.S.- Dahu Road, Puna District - Pune (Maharastra)
3. Bablu Kumar Son of Surendra Paswan Resident of Village - Chewara, P.S.- Chewara, Distt - Sheikhpua. At present address - Patil Complex Chirdali Taluk Habeli, P.S.- Dahu Road, Puna District - Pune (Maharastra)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Nirmala Kumari Wife of Diwakar Kumar, D/O Prahlad Paswan Resident of Village - Faridpur, P.S.- Sheikhpura, Distt - Sheikhpura

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh
For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-04-2019 Heard learned Counsel for the petitioners and learned APP
for the State.

The petitioners being, the parents and brothers of the husband of the informant, are apprehending arrest in a case registered for the offences punishable under Sections 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 of Nirmala Kumari submitted before the Station House Officer, Sheikhpura Mahila Police Station is to the effect that



the informant was married with co-accused Diwakar Kumar on 30.04.2015 and subsequently, a male child was born out of the wedlock, but subsequent to the marriage, further dowry demand of cash amount of Rupees Five Lac was made and due to non-fulfillment of the same, torture was inflicted upon the informant by the petitioner and other co-accused persons.

It is submitted by learned counsel for the petitioners that the thrust of accusation is against the husband of the informant and the petitioners claim to reside separately from 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 the petitioners are named in the FIR with accusation of torture for non-fulfillment of dowry demand.

Considering the fact that the thrust of accusation is against the husband of the informant and the accusation is omnibus and general against the petitioners, 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, Sheikhpura in connection
with Sheikhpura Mahila P.S. Case No.36 of 2016, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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