

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20452 of 2019

Arising Out of PS. Case No.-54 Year-2018 Thana- MAHILA P.S. District- Banka

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1. SHANKAR PRASD CHOUDHARY @ SHANKAR PRASAD CHOUHAN
S/o Chandu Prasad Chouhan R/o village- Sripur, P.S.- Barahat, District- Banka
 2. Manti Devi W/o Shankar Prasad Chouhan R/o village- Sripur, P.S.- Barahat, District- Banka

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-04-2019 Heard the learned counsel for the petitioners and
learned APP for the State.

The petitioners, being the parents of the husband of the informant are apprehending their arrest in connection with Banka Mahila P.S. Case No. 54 of 2018 for the offences punishable under Section 498(A)/34 of the Indian Penal Code.

The prosecution case got initiated on the basis of written report of Kalpana Devi submitted before the Station House Officer, Banka Mahila Police Station is to the effect that the informant was married to the son of the petitioners, namely, Amar Kant Chouhan ten years ago. Prior to lodging of the FIR, further demand of dowry of cash amount of Rs. 2,00,000/-, a



motorcycle, a refrigerator and a TV was made and due to non-fulfillment of the same, torture was inflicted upon the informant by the petitioners and other co-accused family members. Ultimately, on 21.06.2018, after snatching all the belongings, the informant was driven out of her matrimonial house.

It is submitted by the learned counsel for the petitioners that petitioners are parent-in-law of the informant and the thrust of accusation is against the husband of the informant, who is ready to keep the informant as wife with full dignity and honour. Statment to that effect has been made in paragraph no. 17 of the application which reads as follows:

“ That the petitioners are always ready to keep and live with the informant, but she is not ready to live in her sasural.”

Learned counsel for the informant submits that the specific allegation is against the husband of the informant, however, there is no medical report on record to corroborate accusation of assault.

Considering the fact that thrust of accusation is against the husband of the informant and petitioners are old persons, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four 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 learned S.D.J.M., Banka in connection with Banka Mahila P.S. Case No. 54 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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