

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60054 of 2019

Arising Out of PS. Case No.-74 Year-2018 Thana- ANTICHAK District- Bhagalpur

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1. SUMITRA DEVI Wife of Late Diwakar Mandal Resident of Village- Oriyap, P.S.- Antichak, District- Bhagalpur.
 2. Pawan Mandal Son of Late Lilo Mandal Resident of Village- Oriyap, P.S.- Antichak, District- Bhagalpur.
 3. Anuj Mandal S/O Late Diwakar Mandal Resident of Village- Oriyap, P.S.- Antichak, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bhagwat Modi S/O Late Ram Modi Resident of Village- Birnaudh, P.S.- Goradih, District- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar Sinha

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 14-10-2019 Heard both sides.

The petitioners apprehend their arrest in Antichak P.S. case No. 74 of 2018 registered under Section 498A/34 of the IPC and u/s $\frac{3}{4}$ of Dowry Prohibition Act.

The informant alleged that his daughter was married to Gunjan Mandal but her husband and other in-laws subjected her to all sorts of torture due to non fulfillment of demand of additional dowry of Rs. One lac.

The learned counsel for the petitioners submits that petitioners are mother, uncle and brother of husband of daughter of informant and they have no manner of concern with the family affairs of the daughter of informant and her husband.

On the other hand, the learned counsel for the



informant submits that petitioners have been granted privilege of Section 41A of the Cr. P. C and they got no apprehension of being arrested.

Considering the facts aforesaid and nature of allegation made against the petitioners and the fact that privilege of Section 41A of the Cr. P. C is only granted with a view that the I.O. does not require the custodial interrogation of an accused and directed the accused to appear before the court and the same does not disentitle the accused to grant anticipatory bail, the petitioners, above named, in the event of their arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on their furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIV, Bhagalpur in connection with Antichak P.S. case No. 74 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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