

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74669 of 2019

Arising Out of PS. Case No.-10 Year-2019 Thana- AMNAUR District- Saran

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1. ARUN KUMAR SINGH Son of Fuldeo Singh Resident of Village - Parwalpatti Parsauni, P.S.- Sahebganj, District- Muzaffarpur
 2. Ranjana Singh @ Ranjana Devi Wife of Arun Kumar Singh Resident of Village - Parwalpatti Parsauni, P.S.- Sahebganj, District- Muzaffarpur
 3. Avinash Kumar Singh @ Avinash Son of Arun Kumar Singh Resident of Village - Parwalpatti Parsauni, P.S.- Sahebganj, District- Muzaffarpur
 4. Kalpana D/O - Arun Kumar Singh, Wife of Kumod Kumar Resident of Village - Panapur Kariyat, P.S.- Kanti, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-11-2019 Heard learned counsels for the parties.

The petitioners, being the parents, brother and married sister of the husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 406,498A and 307/34 of the IPC and Sections 3 and 4 of Dowry Prohibition Act.

Initially, Complaint Case No. 2315 of 2018 was filed but subsequently, after the complaint being transferred under Section 156(3) of the Cr.P.C., the FIR was registered. It is alleged that the marriage of the informant was performed with



co-accused Abhishek Singh alias Bittu in 2016 but subsequently torture was inflicted upon the informant due to non-fulfillment of further dowry demand. It is further alleged that the accused persons also tried to kill her by setting her on fire and subsequently, she was driven out of the matrimonial house.

It is submitted by learned counsel for the petitioners that the thrust of accusation is against the husband of the informant. It is further submitted that the husband of the informant filed Matrimonial Suit No. 104 of 2018 at earlier point of time before the learned Principal Judge, Family Court, Muzaffarpur. The informant appeared in the aforesaid matrimonial suit and agreed to resume the conjugal life but thereafter, the present case has been lodged against the petitioners' side. Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

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

Considering the stand of the husband of the informant before the learned Court below, the thrust of accusation being against the husband of the informant and the submission of learned counsel to the effect that there is no injury report on record coupled with the statement made in paragraph 3 of the



petition that the petitioners are not having any criminal antecedent, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM II, Chapra in connection with Amnour P.S. Case No.10 of 2019 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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