

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81938 of 2019

Arising Out of PS. Case No.-54 Year-2016 Thana- BISFI District- Madhubani

1. Baidy Nathi Roy Son of Pachu Roy Resident of Village - Ghat Bhatra, P.S.- Bisfi, District - Madhubani.
2. Gambhira Devi Wife of Baidy Nathi Roy Resident of Village - Ghat Bhatra, P.S.- Bisfi, District - Madhubani.
3. Anil Roy Son of Baidy Nath Roy Resident of Village - Ghat Bhatra, P.S.- Bisfi, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav
For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-02-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners, being parents and brother of the husband of the informant, are apprehending their arrest in a case initially registered for the offences punishable under Sections 341, 323, 325, 379, 494, 498A, 504/34 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act but on conclusion of the investigation the petitioners were not sent up for trial and differing with the final report, the learned Court below has taken cognizance under Sections 341, 323, 498A, 494 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.



The prosecution case, as per the fardbeyan of Nutan Devi recorded by S.I. B.D. Ram on 07.04.2016 at 2.30 P.M., is to the effect that the the informant was married with Vijay Roy but from one year prior to the lodging of the case she was residing with her parents. On 06.04.2016 the informant went to her in-laws house along with her father when she was being abused by her husband and there was demand of dowry of Rs.50,000/-. It is also alleged that all the accused persons assaulted the father of the informant and the informant.

It is submitted by learned counsel for the petitioners that on conclusion of the investigation the petitioners were not sent up for trial but differing with the final report, cognizance has been taken and thrust of accusation is against the husband of the informant.

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

Considering the fact that the thrust of accusation is against the husband of the petitioners and petitioners were not sent up for trial on conclusion of the investigation, 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 twelve weeks from today, on furnishing bail bonds of



Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J. Ist, Madhubani in connection with Bisfi P.S. Case No. 54 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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