

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30430 of 2017

Arising Out of PS.Case No. -138 Year- 2017 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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1. Most. Manju Singh, W/o late Suresh Singh,
2. Saurav Kumar Singh @ Chhotu @ Saurabh Kumar Singh, S/o Late Suresh Singh. Both are resident of village- Bairiyadih, P.S.- Harsidhi, Distt.- East Champaran at present resident of Village- New Chandmari, P.S.- Town Motihari, Distt.- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioners, learned APP
for the State and learned counsel for the informant.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 380, 498A, 504/34 of the Indian Penal Code and 3/5 of Prevention of Witch (Dian) Act.

Allegation against the petitioners is of committing torture upon the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The



case is triable by the Magistrate. The petitioner No.1 is the mother-in-law and petitioner No.2 is the brother-in-law of the victim respectively. They are separate in mess and property from the husband of the victim. The petitioners have further relied upon the judgment of this Court in the case of **Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.**

On behalf of the State and learned counsel for the informant, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Motihari in connection with Motihari Town P.S. case No.138 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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