

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33005 of 2017

Arising Out of PS.Case No. -32 Year- 2017 Thana -BHAPATIYAH I District- SUPAUL

- =====
1. Nirmal Mehta, Son of Ramfal Mehta,
 2. Ramfal Mehta, Son of Chutharu Mehta,
 3. Devdi Devi, W/o Ramfal Mehta @ Rampur Mehta,
 4. Fulchand Mehta @ Phulchandra Mehta, Son of Ramful Mehta @ Rampur, Mehta.
 5. Mamta Devi, W/o Fulchand Mehta, All are Resident of Village- Narayanpur, P.S.- Bhaptiyahi, District- Supaul.

.... Petitioners

Versus

1. The State of Bihar.
2. Mina Devi @ Somila Devi W/o Nirmal Mehta, D/o Late Rameshwar Mehta, Resident of Village- Narayanpur, P.S.- Bhaptiyahi, District- Supaul, at present Resident of Village- Sukhanagar, P.S.- Pratapganj, District- Supaul.

.... Opposite Parties

=====

Appearance :

For the Petitioner/s : Mr. Arun
For the Opposite Party/s : Mr. Md. Arif

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-07-2017 Heard learned counsel for the petitioners, learned counsel for the informant and learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Bhapatiyahi P.S. Case No.32 of 2017 for the offences instituted under Sections 341, 323, 379, 504, 506, 498-A /34 of the Indian Penal Code.

The allegation against the petitioners is of committing torture upon the victim due to non-fulfillment of the demand of



dowry.

It has been submitted on behalf of the petitioners 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 husband of the informant, petitioner no.2 is father-in-law of the informant, petitioner no.3 is mother-in-law of the informant, petitioner no.4 is Devar of the informant and petitioner no.5 is Devrani of the informant. They are separate in mess and property from the husband of the informant. The petitioners have further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

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

Considering the aforesaid facts and circumstances, let the petitioners above named be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Bhapatiyahi P.S. Case No.32 of 2017 on furnishing bail bonds of



Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Supaul, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure

(Sudhir Singh, J)

Amit/-

U		T	
---	--	---	--

