

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57836 of 2017

Arising Out of PS.Case No. -29 Year- 2017 Thana -MAHILA P.S. District- BHABHUA (KAIMUR)

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1. Dharmendra Kumar, S/o Dashrath Seth.
2. Dashrath Seth, S/o Late Mangru Seth.
3. Budhiya Devi, W/o Dashrath Seth.
4. Jitendra Seth, S/o Dashrath Seth.
5. Chhoti Devi, W/o Jitendra Seth,
6. Gudiya Devi, D/o Dashrath Seth. All resident of Village- Gorari, P.S.- Karakat, Dist.- Rohtas (Sasaram).

.... Petitioners

Versus

1. The State of Bihar.
2. Asha Devi, W/o Dharmendra Kumar and D/o Bechu Sah, Resident of Village- Gorari, P.S. Karakat, Dist.- Rohtas (Sasaram). At present residing at Village:- Usari, P.S.- Mohania, Dist.- Kaimur (Bhabhua).

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Achhaibar Singh
For the Opposite Party/s : Mr. Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-12-2017 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in a case instituted under Section 498(A)/34 of the Indian Penal Code and 3/4 of D.P. Act.

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 there is no allegation of tampering of witnesses alleged against the



petitioners. The petitioner no.1 is husband of the victim, petitioner no.2 is father-in-law of the victim, petitioner no.3 is mother-in-law of the victim, petitioner no.4 is Bhaisur, petitioner no.5 is Gotni and petitioner no.6 is Nanad of the victim. The petitioners have falsely been implicated in the present case. Due to petty family dispute, the present case has been instituted against the petitioners. 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, 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 arrest or surrender before the learned court below within a period of six weeks from today in connection with Bhabhua Mahila P.S. Casem No.29 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 S.D.J.M., Kaimur (Bhabhua), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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