

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60287 of 2017

Arising Out of PS.Case No. -154 Year- 2017 Thana -GOPALGANJ TOWN District- GOPALGANJ

- =====
1. Anil Pathak
 2. Phool Kumari
 3. Anupam Pathak @ Anupam Kumar

.... Petitioners

Versus

State of Bihar & Anr

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh

For the Opposite Party/s : Mr. Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-12-2017 Heard learned counsel for the petitioner. Learned counsel for the State and learned counsel appearing on behalf of the O.P. No.2.

The petitioners are apprehending their arrest in a case instituted under Sections 498A, 406, 342, 504/34 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 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 petitioners



are in-laws of the victim. 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 Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State and counsel for the O.P. No.2, it has been submitted that the petitioner is 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 Gopalganj Town P.S. Case No.154/2017, G.R. No.1352/2017 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., Gopalganj, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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