

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54254 of 2017

Arising Out of PS.Case No. -762 Year- 2016 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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1. MUNNA KHATIK @ MUNNA KUMAR son of Adalat Khatik
2. Adalat Khatik @ Adalat son of Late Lalmani Khatik
3. Dugari Devi @ Dulari Devi @ Dulari wife of Sri Adalat Khatik
All are resident of village Bandhu Chhapra, P.S. Padarauna, Dist.-Kushi
Nagar (U.P.)

.... Petitioners

Versus

1. State of Bihar
2. Asha Devi wife of Munna Khatik, resident of village Bandhu Chhapra,
P.S. Padarauna, Dist.-Kushi Nagar (U.P.) D/o Harendra Sah, resident of
village Nanak Shahi Sangwadih, P.S. Gopalpur, Dist.- Gopalganj

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Naresh Prasad

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-11-2017

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 Sections 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
petitioner no.1 is husband of the victim, petitioner no.2 is father-
in-law of the victim and petitioner no.3 is mother-in-law of the
victim. They have falsely been implicated in the present case.



The petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The case is triable by the Magistrate. 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 Complaint Case.

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 Complaint Case No.762/2016, Tr. No.1854/2017 on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XI, 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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