

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30104 of 2017

Arising Out of PS.Case No. -1042 Year- 2016 Thana -SAMASTIPUR COMPLAINT CASE
District- SAMASTIPUR

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1. Parsuram Singh @ Parshu Ram Singh, S/o Late Harak Singh.
2. Shanti Devi, W/o Parsuram Singh, Both resident of Village- Kusiya, P.O.- Karua, P.S.- Chakmehsi, District- Samastipur, at present residing at Plot No. 87, Gyan Bihar Sector-2, Ward No. 03, B.I.T.S. Pilani, District- Jhunjhun (Rajasthan).

.... Petitioners

Versus

1. The State of Bihar.
2. Sabita Kumari, W/o Umesh Kumar Singh, D/o Sadhusaran Matho, R/o Kasiya, P.O.- Karua, P.S.- Chakmehsi, District- Samastipur, at present residing in the house of Sarita Singh, W/o Yaswant Singh, R/o Village- Kasbey Aahar, P.S.- Tajpur, District- Samastipur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma
For the Opposite Party/s : Mr. Shailendra Kumar -2

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Complaint Case No. 1042 of 2016 for the offences instituted under Sections 498A, 406 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 been falsely implicated in the present case. There is no allegation of tampering of witnesses alleged against the petitioners. The case is triable by the Magistrate. The petitioner no.1 is father-in-law of the victim and petitioner no.2 is mother-in-law 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 @ Naimul Haque Ansari & Ors 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.

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 Complaint Case No. 1042 of 2016 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., Samastipur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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