

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36535 of 2017

Arising Out of PS.Case No. -776 Year- 2015 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

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1. Arvind Saha,
2. Ajay Saha,
3. Ashok Saha All Sons of Kamleshwari Saha, All R/o Village- Chikni
Khard, P.S.- Gamarhiya, District- Madhepura.

.... Petitioners

Versus

1. The State of Bihar.
2. Sarita Devi W/o Manoj Kumar Saha, R/o Village- Chikni Khard, P.S.-
Gamahriya, District- madhepura, at present Address- Sarita Devi, D/o Ram
Kumar Sah, R/o Village- Raghunathpur, P.S.- Sour Bazar, District- Saharsa.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh

For the Opposite Party/s : Mr. Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

02 10-08-2017 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. 776(C)/2015, for the
offences instituted under Sections 498(A), 323, 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 and petitioner no.2 are the cousin brothers of the father-in-law of the victim and the petitioner no.3 is the step brother of the petitioner no.1 and 2. 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 Case.

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. 776(C)/2015 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., Madhepura, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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