

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38692 of 2017

Arising Out of PS. Case No.-43 Year-2017 Thana- CHAUTHAM District- Khagaria

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1. Mira Devi wife of Ghutar Paswan
 2. Ghutar Paswan son of late Baldeo Paswan
 3. Amit Paswan @ Amit Kumar son of Ghutar Paswan All residents of Village - Hardiya Mushahari Tola, P.S. - Chautham, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai
For the Opposite Party/s : Mr. ABHAY KUMAR ROY

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 08-12-2017 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Section 498A/34 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

Allegation against the petitioners is of committing torture upon the victim due to non-fulfilment of 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. From perusal of the case diary, there is no injury



report to support the allegations made in the F.I.R. The case is triable by the Magistrate. The petitioner No.1 is the mother-in-law, petitioner No.2 is the father-in-law and petitioner No.3 is the Devar of the informant. They are separate and mess and property from the husband of the informant. The petitioners have 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 is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail 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. IInd, Khagaria in connection with Chautham P.S. case No.43 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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