

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36157 of 2017

Arising Out of PS.Case No. -42 Year- 2017 Thana -SIDHWALIA District- GOPALGANJ

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1. KANTI DEVI @ SAWATI DEVI, Wife of Late Acchelal Prasad.
2. Kumar Sonu @ Sonu Kumar, Son of Late Acchelal Prasad.
3. Sunita Kumari, Daughter of Late Acchelal Prasad, All resident of
Village- Larauli, P.S.- Sidhwalia, District- Gopalganj.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shafiur Rahman

For the Opposite Party/s : Mr. Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 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 Sidhwalia P.S. Case No. 42 of 2017 for the offences instituted under Section 498(A) of the Indian Penal Code and Section 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 petitioner no.1 is mother-in-law of the victim petitioner no.2 is unmarried Devar of the victim and petitioner no.3 is unmarried nanad of the victim. They are separate in mess and property from the husband of the victim. The petitioner has 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 F.I.R.

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 Sidhwalia P.S. Case No. 42 of 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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