

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37268 of 2017

Arising Out of PS.Case No. -90 Year- 2017 Thana -CHAUTHAM District- KHAGARIA

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1. Vikash Chandra Kumar @ Vikash Chandra Das, S/o Late Ram Chandra Das, R/o Village- Adavari, P.S.- Chautham, District- Khagaria at present posted as Head Master in Middle School, Dhutauli, Block- Choutham, District- Khagaria.
 2. Manish Chandra Kumar, S/o Late Ram Chandra Das, R/o Village- Adavari, P.S.- Chautham, District- Khagaria.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Anant Kumar-1, Advocate.

For the Opposite Party : Mr. Mukeshwar Dayal, A.P.P.

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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 for the State.

The petitioners are apprehending their arrest in connection with Chautham P.S. Case No. 90/2017, G.R. No. 1311/2017 for the offences instituted under Sections 341, 323, 307, 498(A)/34 of the IPC and ¾ of the D.P. Act.

The prosecution story, in brief, is that the accused persons including the petitioners tortured the informant 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 with the witnesses alleged against the petitioners. They have falsely been implicated in the present case due to petty family dispute. The petitioners are in-laws 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 F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on 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 Chautham P.S. Case No. 90/2017, G.R. No. 1311/2017 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. –II, Khagaria, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

