

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50866 of 2017

Arising Out of PS.Case No. -148 Year- 2017 Thana -BARGANIA District- SITAMARHI

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1. Mina Devi W/o Gouri Shankar Prasad @ Gouri Shankar Prasad Gupta.
2. Gouri Shankar Prasad @ Gouri Shankar Prasad Gupta S/o Late Lakshman Prasad.
3. Suraj Kumar Gupta @ Suraj Kumar @ Chhathu S/o Gouri Shankar Prasad @ Gourishankar Prasad Gupta.
4. Guddu Kumar @ Guddu Kumar Gupta S/o Gouri Shankar Prasad @ Gourishankar Prasad Gupta. All are resident of Village- Bairgania, P.S. Bargania, District- Sitamarhi.

.... Petitioners

Versus

1. The State of Bihar.
2. Priyanka Devi W/o Suraj Kumar Gupta @ Chhathu resident of Village- Bairganiya, Ward No. 14 Sheopatti P.S. Bairganiya, District Sitamarhi.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Uday Kumar
For the Opposite Party/s : Mr. Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in a case instituted under Sections 498(A) of the Indian Penal Code and 3(A) (B) 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 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 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 petitioner 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 Bairgania P.S. Case No. 148 of 2017, on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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