

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50092 of 2017

Arising Out of PS. Case No.-48 Year-2017 Thana- GAUNAHA District- West Champaran

1. Mohan Chaudhary @ Mohan Faujdar, Son of Late Hari Faujdar,
2. Ajay Chaudhary, Son of Mohan Chaudhary @ Mohan Faujdar,
3. Sukwariya Devi @ Sukriya Devi, Wife of Mohan Chaudhary @ Mohan Faujdar,
4. Lilawati Devi, Wife of Ajay Chaudhary, All are residents of Village- Belwa Bahuari, Police Station- Gaunaha, District- West Champaran.
5. Umesh Chaudhary, Son of Sita Ram Chaudhary,
6. Mahanti Devi, Daughter of Umesh Chaudhary, 5 and 6 are residents of Village- Manjhariya, Police Station- Gaunaha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra
For the Opposite Party/s : Mr. SRI RAJENDRA SINGH SHASTRIJI

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-10-2017 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 494, 498A, 379 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. The case is triable by the Magistrate. 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 Sub Divisional Judicial Magistrate, Bettiah, District West Champaran in connection with Gaunaha P.S. case No.48 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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