

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54533 of 2017

Arising Out of PS.Case No. -167 Year- 2017 Thana -NATHNAGAR District- BHAGALPUR

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1. CHITRANJAN SINGH @ CHITRANJAN KUMAR, Son of Ram Balak Ray, resident of Village- Khutaha, Barahiya, Police station- Barahiya, District- Lakhisarai.

2. Kanhaiya Singh @ Kanhaiya Kumar, Son of Mr. Tantan Singh, Resident of Village- Jaitpur, Police Station- Barahiya, District- Lakhisarai.

.... Petitioners

Versus

1. The State of Bihar.

2. Punam Singh @ Panam Singh, daughter of Late Bhola Ray, resident of Rannuchak, Post- Rannuchak, Makandpur, Police Station- Nath Nagar, District- Bhagalpur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Pravina Kumari

For the Opposite Party/s : Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-11-2017 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 341, 323, 498(A)/34 of the Indian Penal Code.

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 petitioner no.2 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the



petitioners. The petitioner no.1 is husband of the victim and the petitioner no.2 is nephew of the husband of the victim. The petitioners have falsely been implicated in the present case. The case is triable by the Magistrate. Due to petty family dispute, the present case has been instituted against the petitioner. 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 arrest or surrender before the learned court below within a period of six weeks from today in connection with Nath Nagar P.S Case No. 167/2017 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., Bhagalpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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