

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55367 of 2017

Arising Out of PS.Case No. -2237 Year- 2015 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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1. Jitendra Yadav @ Jitendra Kumar Yadav, Son of Dashrath Yadav,
2. Dashrath Yadav, Son of Late Garju Yadav,
3. Mina Devi Wife of Dashrath Yadav, All are resident of Village-
Khairati Hussainganj, P.S. Hussainganj, District- Siwan. At present
Resident of Village- Bhagirathi Laxmipur, P.S. Mirganj, District-
Gopalganj.

.... Petitioners

Versus

1. The State of Bihar.
2. Annu Devi, Wife of Jitendra Yadav, D/o Ravindra Yadav, Resident of
Village- Dhusia, P.S. Mirganj, District- Gopalganj.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Dhramveer

For the Opposite Party/s : Mr. Iftekhar Mahmood

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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 323, 498(A), 406, 120(B) of the Indian
Penal Code and 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 petitioner no.1 is husband of the victim, petitioner no.2 is father-in-law of the victim and the petitioner no.3 is mother-in-law 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 petitioners. 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 Complaint Case.

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 Complaint Case No.2237/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Gopalganj in Tr. No. 2819/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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