

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27097 of 2017

Arising Out of PS.Case No. -1566 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

- =====
1. Shiv Balak Paswan @ Shiv Balan Paswan, son of Late Sobhi Paswan
 2. Rajkumari Devi, wife of Shiv Balak Paswan,
 3. Pooja Kumari @ Pooja Rani, D/o Shiv Balak Paswan, All resident of Village- Degpura, P.S.- Rahui, District- Nalanda, at present Plot No.107, HMT Satbhavna Nagar, Kukatpalli, P.S.- Kukatpalli, District- Hyderabad (A.P.)- 500072.
 4. Sarita Kumar, wife of Sanjay Kumar, resident of Village- Algana, P.S.- Kako, District- Jehanabad.

.... Petitioners

Versus

1. The State of Bihar.
2. Sapna Kumari @ Rinki, W/o Sudhir Kumar, Shiv Plot No.107, HMT Satbhawana Nagar, Kukatpalli, P.S.- Kukatpalli, District- Hyderabad (A.P.) 500072 at present D/o Sri Rambabu Paswan resident of Moh.- New Patna Colony, Beur Anishabad, P.S.- Beur, District- Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai

For the Opposite Party/s : Mr. Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 12-10-2017 Heard learned counsel for the petitioners, learned counsel for the Opposite Party No.2 and learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest for the offences instituted under Sections 498(A), 323, 641 and 307/34 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 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 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 and counsel for the Opposite Party No.2, 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 their arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No.1566/2013 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-Judge-cum-A.C.J.M., Patna, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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