

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33372 of 2017

Arising Out of PS.Case No. -795 Year- 2016 Thana -KHAGARIA COMPALINT CASE District-
KHAGARIA

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1. Suresh Thakur, S/o Late Latoran Thakur,
 2. Jhuna Devi, W/o Suresh Thakur, Both are resident of Village- Pasraha P.S.- Pasraha, District- Khagaria.
 3. Soni Kumari, D/o Debo Thakur, resident of Village- Haripur, P.S.- Beldaur, District- Khagaria at present W/o Rakesh Thakur, Village+P.O. Pasraha, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Seema Devi, W/o Rakesh Thakur, resident of Village+P.O.- Pasraha, District- Khagaria, at present, D/o Subhuk Lal Thakur, Village- Vishwakarma Nagar, P.S.- Mahesh Khunt, District- Khagaria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bishweshwar Ram, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 20-07-2017 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 323, 498A and 494/34 of the Indian Penal Code and ¾ of the 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 petitioner



No.1 is the father-in-law and petitioner No.2 is the mother-in-law of the victim and petitioner No.3 is alleged to be the second wife of the husband 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 @ 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 petitioner is named in the complaint case.

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, Khagaria in connection with Complaint case No.795(C) of 2016, 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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