

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.60491 of 2017

Arising Out of PS.Case No. -369 Year- 2017 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

- =====
1. Bhabindra Sharma @ Bhabendra Sharma, S/O Deep Narayan Sharma.
 2. Rita Devi, W/O Bhabindra Sharma @ Bhabendra Sharma. Both residents of Village- Sukhasan Chakla, P.S. + District- Madhepura.

.... Petitioners

Versus

1. The State of Bihar.
2. Sangita Devi, W/O Shankar Sharma, R/V- Sukhasan Chakla, P.S. + District-Madhepura, at present D/O Rajdeo Sharma, resident of Gwalpara, P.S. Gwalpara, District-Madhepura.

.... Opposite Parties

=====

Appearance :

For the Petitioners : Mr. Sanjay Kumar Singh, Advocate.

For the State : Mr. Anuj Kumar Srivastava, A.P.P.

For the O.P. No. 2 : Mr. Dinesh Pd. Verma, Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 12-12-2017 Heard learned counsel for the petitioners, learned counsel for the opposite party no. 2 and learned A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 323, 498(A)/34 of the IPC and 4 of the D.P. Act.

The prosecution story, in brief, is that the accused persons including the petitioners tortured the victim due to non-fulfillment of demand of dowry.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged



against the petitioners. The petitioners have falsely been implicated in the present case due to petty family dispute. The petitioners are in-laws of the victim. They are separate in mess and property from the husband of the victim. The case is triable by the Magistrate. 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 learned counsels for the State and opposite party no. 2, it has been submitted that the petitioners are named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or 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 the learned C.J.M. Madhepura, in connection with Complaint Case No. 369C of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)

