

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57746 of 2017

Arising Out of PS.Case No. -125 Year- 2017 Thana -MAJHAHGARH District- GOPALGANJ

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1. CHINTA DEVI @ CHINTA KUNWAR, W/o Late Harihar Choudhary,
2. Ashok Choudhary S/o Late Harihar Choudhary,
3. Mintu Choudhary @ Mantu Kumar Choudhary S/o Late Harihar Choudhary, All are R/o Village- Koinie, P.S.- Manjhargarh, District- Gopalganj.

.... Petitioners

Versus

1. The State of Bihar.
2. Chanda Devi W/o Pradeep Choudhary, D/o Awadhesh Choudhary, R/o Village- Koine, P.S.- Manjhargarh, District- Gopalganj.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Dhramveer

For the Opposite Party/s : Mr. Nityanand

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-12-2017 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in a case instituted under Sections 341, 323, 307, 504, 498(A)/34 of the Indian Penal Code and ¾ 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 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. There is no injury report to support the allegations made in the F.I.R. 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 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 Manjhagarh P.S. Case No.125/2017 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., Gopalganj, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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