

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34072 of 2017

Arising Out of PS.Case No. -29 Year- 2016 Thana -MAHILA P.S. District- LAKHISARAI

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1. Yogo Yadav @ Yogi Yadav @ Yogendra Yadav, S/O Late Bimal Yadav.
 2. Pappu Yadav @ Pappu Kumar.
 3. Sanjeeb Kumar@ Sajjan Kumar.
 4. Shaibendra Yadav @ Shailendra Yadav @ Jitesh Kumar. All are sons of Yogo Yadav @ Yogi Yadav.
 5. Gaya Devi, W/O Yogo Yadav @ Yogi Yadav. All are residents of Village- Khaira, P.S. Kajra, District-Lakhisarai.

.... Petitioners

Versus

1. The State of Bihar.
2. Lalita Devi, W/O Wakil Yadav, D/O Choti Yadav, R/V- Khaira, P.S. Kajra, District- Lakhisarai at present resident of Basauni, P.S. Abhaipur, District-Lakhisarai.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Rajesh Kumar, Advocate.

For the State : Mr. Umanath Mishra, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioners are apprehending their arrest in connection with Lakhisarai Mahila P.S. Case No. 29/2016 for the offences instituted under Sections 498(A), 354, 406/34 of the IPC and ¾ of the D.P. Act.

The prosecution story, in brief, is that the accused



persons including the petitioners tortured the informant 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 with the witnesses alleged against the petitioners. The case is triable by the Magistrate. They have falsely been implicated in the present case due to petty family dispute. 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. The petitioner no.1 is the father-in-law of the of the victim and petitioner nos. 2, 3 and 4 are the brothers-in-law of the victim and petitioner no. 5 is the mother-in-law of the victim. They are separate in mess and property from the husband of the victim.

On behalf of the learned counsel for 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 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 G.R. No. 1073/2016, arising out of Lakhisarai Mahila P.S. Case No. 29/2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two



sureties of the like amount each to the satisfaction of the learned
J.M. Ist Class, Lakhisarai, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

