

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41642 of 2017

Arising Out of PS.Case No. -1590 Year- 2015 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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1. Amerika @ Amerika Chauhan S/o Ramayan Chauhan
2. Ramayan Chauhan S/o late Bhadai Chauhan
3. Ramani Devi W/o- Ramayan Chauhan
4. Bikarma Chauhan S/o Ramayan Chouhan
5. Guddu Chauhan S/o Ramayan Chauhan All 1 to 5 are R/o Village- Rupi Bagahi, P.S. Kateya, Distt- Gopalganj.

.... Petitioners

Versus

1. The State of Bihar.
2. Premshila Devi D/o Sita Ram Chauhan R/o Village- (Pedari- Chauhan Patti, P.S.- Gopalpur, Distt- Gopalganj).

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Harendra Prasad

For the Opposite Party/s : Mr. Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-09-2017 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Complaint Case No.1590 of 2015(Tr. No.4556 of 2016) for the offences instituted under Sections 323, 498(A), 504, 379, 406 of the Indian Penal Code and ¾ of D.P. Act but cognizance of the offence has been taken under Sections 498(A)/323 of the Indian Penal Code and Section 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 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 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 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.1590 of 2015(Tr. No.4556 of 2016) on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.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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