

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42792 of 2017

Arising Out of PS.Case No. -20305 Year- 2016 Thana -GOPALGANJ COMPLAINT CASE
District- GOPALGANJ

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1. Brajesh Kumar Tiwari, Son of Bachcha Tiwari,
2. Bachcha Tiwari, Son of Shukdeo Tiwari, Both resident of Village-
Salahpur, P.S.- Mohammadpur, District- Gopalganj.

.... Petitioners

Versus

1. The State of Bihar.
2. Pratima Devi, Wife of Brajesh Kumar Tiwari, Resident of Village-
Salahpur, P.S.- Mohammadpur, District- Gopalganj.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Chaudhary
For the Opposite Party/s : Smt. Pushpa Sinha

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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. 20305© of 2016 for the
offences instituted under Sections 498A, 323 of the Indian Penal
Code and ¼ 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 petitioner no.1 is husband of the victim and petitioner no.2 is father-in-law of the victim. Due to petty family dispute, the present case has been instituted against the petitioners. 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. 20305© 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 A.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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