

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.44523 of 2017**

Arising Out of PS.Case No. -56 Year- 2014 Thana -KANKARBAGH District- PATNA

- =====
1. Nand Kishore Prasad son of Late Sheo Kumar Prasad.
  2. Babita Kumari wife of Nand Kishore Prasad Both are residents of Mohalla - Sohsarai Adda Par, P.S. - Sohsarai, District - Nalanda.

.... .... Petitioners

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioners : Mr. Babita Kumari, Advocate.

For the Opposite Party : Mr. Akshay Lal Pandit, A.P.P.

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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 for the State.

The petitioners are apprehending their arrest in connection with Kankarbagh P.S. Case No. 56 of 2014 for the offences instituted under Sections 498(A), 420, 323, 354 and 509/34 of the IPC.

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

It has been submitted by learned counsel for the petitioners have falsely been implicated in the present case due to petty family dispute. There is no allegation of tampering with the



witnesses alleged against the petitioners. The petitioners are in-laws of the informant. They are separate in mess and property from the husband of the informant. 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.

It has been submitted by learned counsel for the State 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 Kankarbagh P.S. Case No. 56 of 2014 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, Patna, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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**(Sudhir Singh, J)**

