

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55360 of 2017

Arising Out of PS.Case No. -170 Year- 2017 Thana -SA SARAM NAGAR District- SASARAM
(ROHTAS)

- =====
1. CHANDRA MOHAN UPADHAYAY
 2. Devpari Devi @ Devpari

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh

For the Opposite Party/s : Mr. Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-11-2017 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

The petitioners are apprehending his arrest in a case
instituted under Section 498A of the Indian Penal Code and 3/4 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
there is no allegation of tampering of witnesses alleged against the
petitioners. The petitioners have falsely been implicated in the
present case. The petitioner no.1 is father-in-law of the victim and
the petitioner no.2 is mother-in-law of the victim. They are
separate in mess and property from the husband of the victim. 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 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 Sasaram (Model) P.S. Case No.170/2017 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., Sasaram, Rohtas, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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