

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67755 of 2018

Arising Out of PS.Case No. -129 Year- 2018 Thana -WEST CHAMPARAN COMPLAINT District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Madhulata Devi @ Madhulata, W/O Brij Kishore Gupta.
 2. Brij Kishore Gupta @ Braj Kishore Prasad Gupta, S/O Hukum Prasad.
Both are R/V- Jangal Belawa near Ambey Chowk Padarauna, P.S.
Padarauna, District-Kushinagar (Uttar Pradesh).
- Petitioners

Versus

1. The State of Bihar.
2. Chandani Kumari, W/O Akhilesh Kumar Gupta, D/O Mathura Sah,
R/V- Chhatraul, Ward No. 8, Harnatand, P.S. Laukariya, District-West
Champaran.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Brij Kishor Mishra, Advocate

For the State : Mr. Sanjay Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-11-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for
the offence registered under Section 498(A) of the IPC.

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

It has been submitted by learned counsel for the
petitioners that the petitioners have got no criminal antecedent.
There is no allegation of tampering with the witnesses alleged
against the petitioners. The petitioners have falsely been



implicated in the present case due to petty family dispute. The petitioner no. 1 is mother-in-law and petitioner no. 2 is father-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 relief 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.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R./Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-Ist, Bagaha, West Champaran, in connection with Complaint Case No. 129C of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

