

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71674 of 2018

Arising Out of PS. Case No.-265 Year-2013 Thana- KHAGARIA District- Khagaria

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1. Umakant Jha son of Late Jagat Narayan Jha (Cousin father in Law)
 2. Pappu Jha son of Umakant Jha (Cousin Dever)
 3. Pintu Jha son of Umakant Jha (Cousin Dever) All resident of Village- Nauranga Diyara Police Station Balia, District Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bharat Bhushan
For the Opposite Party/s : Mr. Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-12-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 364, 498A and 34 of the Indian Penal Code.

Allegation against the petitioners is of committing torture upon the victim due to non-fulfillment of 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 due to petty family dispute. The victim has been



examined u/S 164 Cr.P.C. in which, she has denied the allegation in respect of the offence u/S 364 of the IPC. Prior to institution of the present case, the brother-in-law of the victim had instituted a case which is Annexure-2 to the present application. The petitioners are cousin father-in-law and cousin brother-in-law of the victim. TThe petitioners have 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. The other co-accused namely Srikant Jha and Sanjeev Jha with similar allegation have been granted anticipatory bail by this court vide order dated 08-05-2018 passed in Cr. Misc. No. 26067 of 2018.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/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 learned Sub Divisional Judicial Magistrate, Khagaria in connection with Khagaria (Gangaur) P.S. Case No. 265 of 2013, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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