

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7339 of 2018

Arising Out of PS. Case No.-539 Year-2017 Thana- HAJIPUR SADAR District- Vaishali

1. Sunaina Devi, wife of Ramjee Ray @ Ramjee Rai,
2. Annu Devi, Wife of Bipin Ray @ Vipin Rai @ Vipin Kumar,
3. Navin Kumar, Son of Ramjee Ray @ Ramjee Rai, All residents of Village- Dharhara @ Nonpur, P.S.- Hajipur Sadar, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niraj kumar
For the Opposite Party/s : SMT. ASHA KUMARI

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-02-2018 Heard learned counsel for the petitioners, learned counsel for the opposite party no. 2 and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 307, 498A, 504, 506/34 of the Indian Penal Code.

Allegation against the petitioners is of committing torture and assault upon the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioners that they have got no criminal antecedent. Petitioner no. 1 is mother-in-law, petitioner no. 2 is *gotni*, and petitioner no. 3 is *devar* of the victim. There is no allegation of tampering of



witnesses alleged against the petitioners. The allegation of assault is alleged against the husband of the victim. Petitioners are separate in mess and property from the husband of the victim. They have falsely been implicated in the present case due to petty family dispute. The 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.*

On behalf of the State, it is submitted that the petitioners are named in the 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 539 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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