

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24978 of 2018

Arising Out of PS. Case No.-250 Year-2016 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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1. Gopal Ram son of Late Balo Ram
 2. Nikuriya Devi wife of Late Balo Ram
 3. Minki Devi wife of Gopal Ram All residents of village Shishwa,
Ward No. 7, P.S. - Gwalpara, District - Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Chuniya Devi wife of Birju Ram resident of village - Gamail, P.S. Bihariganj,
District - Madhepura.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha
For the Opposite Party/s : Mr. Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-04-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 323, 379, 406, 307 and 498A of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act in which cognizance has been taken under sections 498A, 323, 504 of the Indian Penal Code and section 4 of the D.P. Act.

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 the petitioners have got no criminal antecedent. There is no



allegation of tampering of witnesses alleged against the petitioners. The petitioners are in-laws. They have falsely been implicated in the present case due to petty family dispute. The case is triable by the Magistrate. 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 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 S.D.J.M., Udakishunganj, District- Madhepura in connection with Complaint Case No. 250/2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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