

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25708 of 2018

Arising Out of PS. Case No.-224 Year-2017 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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1. Jaya Devi, Wife of Ram Udesb Das null
 2. Ram Udesb Das, S/o Anandi Das
 3. Ranjeet Kumar, S/o Ram Udesb Das. All are Resident of Village- Gauspur Sarsauna, P.S.- Highway, District- Samastipur.
 4. Rinku Devi, Wife of Pramod Das.
 5. Arun Das @ Arun Kumar Das, Son of Narayan Das. Both Resident of Village- Bishanpur, Malahtoli, P.S.- Muffasil, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Jyoti Devi, Wife of Raj Kumar Das, Daughter of Shatrughan Das, Resident of Village- Gauspur, Sarsauna, P.S.- Highway, District- Samastipur. At present Resident of Village- Chhatwari, Police Station- Ujiyarpur, District- Samastipur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi
For the Opposite Party/s : Mr. Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-04-2018 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, 498A/34 of the Indian Penal Code and 4 of Dowry Prohibition Act.

Allegation against the petitioners is of committing torture 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 Chief Judicial Magistrate, Samastipur in connection with Complaint Case No. 224 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Pankaj/-

(Sudhir Singh, J)

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