

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27553 of 2018

Arising Out of PS. Case No.-59 Year-2017 Thana- MAHILA P.S. District- Purnia

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1. Bhim Lal Bishwas, son of Late Nate Bishwas
 2. Sarojni Devi, wife of Bhim Lal Bishwas Both resident of Village- Kanwapara, P.S. Kasba, District Purnea.
 3. Sudhir Mandal @ Sudhir, son of Turai Bishwas
 4. Kajal Kumari, wife of Sudhir Mandal Both residents of Village- Sapa, P.S. Jalalgarh, District Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy
For the Opposite Party/s : Mr. Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-05-2018 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, 341, 307, 504, 506, 498A, 313, 494 of the Indian Penal Code and ¾ of Dowry Prohibition Act.

Allegation against the petitioner 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 have falsely been implicated in the



present case. There is no medical examination report in support of the allegations in respect of offence under Sections 307 and 313 of the I.P.C. Rest of the offences are 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 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) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Purnea in connection with Mahila P.S. case No.59 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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