

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30253 of 2018

Arising Out of PS.Case No. -196 Year- 2017 Thana -KEOTI District- DARBHANGA

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1. Nathuni Roy, S/o Late Lakhshmi Roy,
 2. Nagendra Roy, S/o Nathuni Roy,
 3. Sabri Devi, W/o Nathuni Roy, All resident of Laxmisagar Chapki Parari, P.S.- Sadar, District- Darbhanga.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Pankaj Kumar Das, Advocate.

For the State : Mr. Kumar Virendra Narayan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-05-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 147, 341, 323, 376, 494, 498(A), 504, 506 of the IPC read with Section 3/ 4 of the D.P. Act in which charge sheet was submitted under Sections 147, 341, 354, 494, 498(A), 504, 506 of the IPC and ¾ of the D.P. Act.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim due to non-fulfilment of demand of dowry. It is also alleged that the petitioner no. 2 Nagendra Rai and other co-accused Birendra Roy committed rape upon the victim.



It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case due to petty family dispute. The petitioners are in-laws of the victim. They are separate in mess and property from the husband of the victim. The case is triable by the Magistrate. The petitioners have further 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 learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or 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 the learned A.C.J.M.-VII, Darbhanga, in connection with Keoti P.S. Case No. 196 of 2017, subject to the conditions as laid down under Section 438(2) of the



Code of Criminal Procedure.

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(Sudhir Singh, J)

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