

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40210 of 2018

Arising Out of PS.Case No. -2228 Year- 2010 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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1. Chandan Yadav, Son of Yogendra Yadav,
2. Lila Devi, Wife of Chandan Yadav.
3. Sushila Devi, Wife of Dev Nandan Yadav, All resident of Village-
Shankar Saraiya Ahir Tola, P.S.- Turkauliya, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rita Devi, Wife of Bihari Yadav, D/o Raman Yadav, Resident of
Village- Shankar Saraiya Ahir Toli, P.S.- Turkauliya, District- East
Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Mishra

For the Opposite Party/s : Mr. Sri Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-07-2018 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, 504, 498A of the Indian Penal Code
and 3/4 of Dowry Prohibition Act.

Allegation against the petitioners is of committing torture
upon the victim due to non-fulfillment 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 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 Sub Divisional Judicial Magistrate, Sadar, Motihari in connection with Complaint Case No. C-2228 of 2010, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

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