

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62218 of 2017

Arising Out of PS.Case No. -105 Year- 2017 Thana -KHANPUR District- SAMASTIPUR

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1. Ram Kripal Chaudhary, S/o Late Prabhu Chaudhary,
2. Laxmi Devi W/o Ram Kripal Chaudhary, Both R/o Village- Khairi, P.S.-
Khanpur, District- Samastipur.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-01-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
instituted under Sections 341, 323, 328, 498(A), 504/34 of the
Indian Penal Code and ¾ of D.P. Act.

The allegation against the petitioners is of committing
torture upon the victim due to non-fulfillment of the 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. The petitioners



are father-in-law and mother-in-law of the victim. They are separate in mess and property from the husband of the victim. No offence under Section 328 of the Indian Penal Code is made out against the petitioners as there is no injury report to support the allegations made in the F.I.R. The petitioners have further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Khanpur P.S. Case No.105 of 2017 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Samastipur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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