

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42463 of 2018

Arising Out of PS. Case No.-655 Year-2002 Thana- COMPLAINT CASE District- Araria

1. Laxmi Devi wife of Kishundeo Yadav
2. Shankar Yadav son of Kishundeo Yadav
3. Ramanand Yadav son of Kishundeo Yadav
4. Lakhan Yadav son of Kishundeo Yadav
5. Jhuni Devi @ Uma Devi wife of Shankar Yadav
6. Chandani Devi wife of Ramanand Yadav
7. Ganga Prasad Yadav son of Huddu Yadav
8. Pirthi Yadav @ Prithwichand Yadav son of Sukdeo Yadav
9. Dev Narayan Yadav son of Tilhu Yadav
10. Dayanand Yadav son of Tilhu Yadav, petitioner no.1 to7, 9, 10 are residents of village Asraha Tola Pirganj, Police Station Kursakanta and petitioner no.8 resident of village Dahipora, Police Station Sikty, all District Araria

... .. Petitioner/s

Versus

1. State Of Bihar
2. Pinki Devi wife of Bharat Yadav daughter of Lakhi Yadav, resident of village Asraha Tola Pirganj, Police Station Kursakanta, District Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana
For the Opposite Party/s : Mr. Mithilesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-07-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 498A, 323, 406, 120B of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act, but cognizance has been taken under Section 493 I.P.C.

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 have falsely been implicated in the present case. 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.

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 Additional Chief Judicial Magistrate 5th, Araria in connection with Complaint case No.655C of 2002, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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