

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6738 of 2018

Arising Out of PS. Case No.-203 Year-2017 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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1. Laljhari Devi, W/o Somaree Chaudhary @ Somaree Yadav
 2. Gita Devi @ Gita Kumari @ Rita Kumari @ Rita Devi, D/o Somaree Chaudhary @ Somaree Yadav,
 3. Rita Devi, W/o Rakesh Yadav @ Rakesh Chaudhary,
 4. Rakesh Yadav @ Rakesh Chaudhary, S/o Somaree Chaudhary @ Somaree Yadav, All resident of Village- Savrezi, P.S.- Mirganj, District- Gopalganj. Petitioners

Versus

1. The State of Bihar.
2. Soni Devi, W/o Harkesh Yadav, D/o Babu Ram Yadav, resident of Village- Ramnagar, P.S.- Bhore, District- Gopalganj. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Rakesh
For the Opposite Party/s : Mr. KHURSHID ANWAR

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-02-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a complaint case vide Complaint Case No. R-203/17 in which cognizance has been taken under Section 498A of the Indian Penal Code.

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 they have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners.



Petitioners are in-laws. They are separate in mess and property from the husband of the victim. They 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.

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 A.C.J.M.- XII, Gopalganj, in connection with Trial Case No. 1279/2017 (arising out of Complaint Case No. R-203/2017), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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