

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.185 of 2018

Arising Out of PS.Case No. -1060 Year- 2012 Thana -SIWAN COMPLAINT CASE District-
SIWAN

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1. Mokhtar Rajbhar, S/o Late Swaminath Rajbhar,
2. Janardan @ Jamadar Rajbhar, S/o Late Swaminath Rajbhar,
3. Rabari Devi, W/o Balister Rajbhar,
4. Ram Hari Rajbhar, S/o Late Swaminath Rajbhar, All R/o Village-
Gyaspur, P.S.- Guthani, District- Siwan.

.... Petitioners

Versus

1. The State of Bihar.
2. Rashmuni Devi, D/o Babunand Rajbhar, R/o Village- Jagadish Banakata,
P.S.- Banakata, District- Deoria (U.P.).

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey
For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-01-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
instituted under Section 498(A)/34 of the Indian Penal Code and 4
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 case is triable by the Magistrate. The petitioner no.1 is husband of the victim. Due to petty family dispute, the present case has been instituted against him. The petitioner nos. 2 to 4 are in-laws of the victim. They are separate in mess and property from the husband of the victim. 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 Complaint Case.

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 Complaint Case No.1060 of 2012 on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Siwan, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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