

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.2340 of 2018**

Arising Out of PS. Case No.-161 Year-2017 Thana- MAHILA P.S. District- Nalanda

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1. Shyam Narayan Paswan son of Late Moti Lall
  2. Binda Devi wife of Shyam Narayan Paswan
  3. Kishore Paswan son of Shyam Narayan Paswan
  4. Gauri Devi wife of Kishore Paswan All are residents of Mohalla  
- Karbigahiya, Paswan Tola, Police Station - Jakkanpur, District  
- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manish Kumar No-2  
For the Opposite Party/s : Mr. S.M. RAHMAN

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      05-02-2018              Heard learned counsel for the petitioners, learned APP for  
the State and learned counsel for the informant.

The petitioners are apprehending their arrest in a case registered under Sections 498A, 323, 341, 313, 406, 504/34 of the Indian Penal Code and  $\frac{3}{4}$  of Dowry Prohibition Act.

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 petitioners are in-laws. They are separate in



mess and property from the husband of the victim. The main allegation is against the husband of the victim. 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 and learned counsel for the informant, it is submitted that the petitioners are named in the 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, Nalanda at Biharsharif in connection with Mahila P.S. case No.161 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Narendra/-

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