

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48317 of 2018

Arising Out of PS.Case No. -2110 Year- 2017 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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1. Vilash Kamti, S/o Kamti.
 2. Sail Devi, W/o Vikash Kamti.
 3. Chandan Kamti, S/o Vilash Kamti.
 4. Rekha Devi @ Rakhi Devi, W/o Chandan Kamti.
 5. Munnu Kumar @ Munnu Kumari, S/o Vilash Kamti. All residents of Village- Kishunpur, Jajuar East, P.S. Katra, District- Muzaffarpur.
 6. Renu Devi, W/o Ram Vinay Kamti, Resident of Village- Madhopur, P.S. Simri, District- Darbhanga.

.... Petitioners

Versus

1. The State of Bihar.
2. Pinki Devi, W/o Santosh Kamti & D/o Kishori Kamti, At present resident of Village- Katai Ghatwara, P.S. Katra, District- Muzaffarpur.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Sanjay Kumar @ S.K., Advocate.
For the State : Mrs. Renu Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-08-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 323, 498(A), 379, 504/34 of the IPC and ¾ of the D.P. Act.

The prosecution story, in brief, is that the accused persons including the petitioners tortured the victim due to non-fulfilment of demand of dowry.



It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case due to petty family dispute. The petitioners are in-laws of the victim. They are separate in mess and property from the husband of the victim. The case is triable by the Magistrate. The petitioners have further 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 learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or 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 the learned A.C.J.M.-cum-Sub Judge-15, Muzaffarpur, in connection with Complaint Case No. 2110/17 (Trial No. 1571/17 =1235/18), subject to the conditions as



laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

